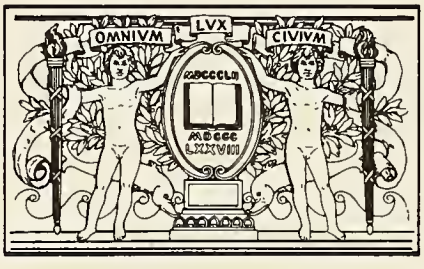

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Corrections for:
CHARLES MERRITT

Page

vi - "Alice Merritt" should be "Alice Marriott" (Appendix A)
13 - "Harrison's" should be "Harrison" (9 lines down)
14 - "that that" should "that the" (9 lines down)
18 - add "(1)" after 2nd paragraph
19 - add "(2)" after middle paragraph first sentence ending with "...Richard Booth. (2)"
19 - "mentioning" should be "mentions" in middle paragraph second sentence.
40 - "ibid., pp. 61-662" should be "ibid., pp 661-662
42 - "0 March 1707" should be "10 March 1707" under "Date"
46 - "Ahoskia" should be "Ahoskie" in map title
49 - "Chowan Biver...(5)" should be "Chowan River...(5)"
66 - "Arvhieves" should be "Archives" in 3rd paragraph, 6 lines down
69 - end quotation after "William Tuckat. "(7)" 10 lines down
69 - "Question, was witness..." should be "Question. "Was witness..."
82 - "...was born CA 1755/56..." should be in 1755/56 in next to last paragraph
116 - "M.C. Merritt born ...1929" should be "M.C. Merritt born...1829" in first line top of page
118 - place period under "comments" after "birth."
119 - after #3 Henry Paul Merritt add "wife (#1) Florence Hudson"
119 - after #3 ...son Bill Foster add "(William Hudson Merritt)"
119 - "Elizabeth Merritt" should be "Evelyn Merritt" after #5
119 - "1984" should be "1894" in 3rd line middle paragraph
122 - "Archieves" should be "Archives" in 6th line last paragraph
149 - "King (should be)

Annie Seay	119,124,125
Annie	116
Joseph Benton	119
L. H.	118
Martha (Toland)	121, 122, 125
Michael	119
Oscar Benjamin	146
William M.	121, 122, 124
William Henry (Capt. Billy)	119, 121

152 - Delete all "Seay" names
152 - add "p.103" to Wade, Henry

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Historical Perspectives of CHARLES MERRITT ca 1652-1718

Including His Family and Some Descendants

By
King Merritt, Jr., Ed.D.

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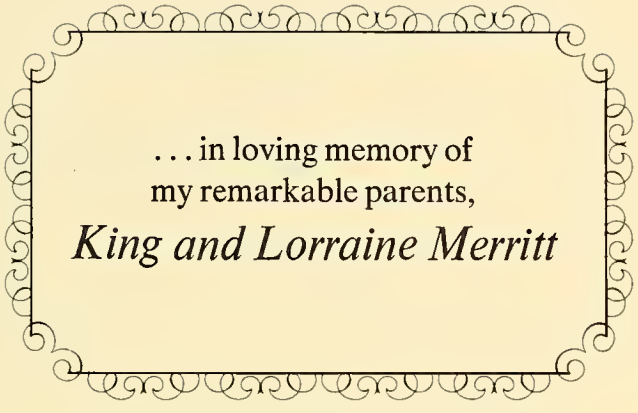
. . . in loving memory of
my remarkable parents,
King and Lorraine Merritt

Acknowledgement

My most heartfelt thanks for encouragement

"Why don't you go to the library today?"

and support

"We'll have enough in the checking

account for your trip to

Raleigh on Friday."

. . .can only go to my beloved wife

Betty Blanton Merritt

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Preface

Gathering information about Charles Merritt was indeed a challenge since there is a dearth of any nationally circulated publications featuring the family in libraries. This is unfortunate since I am sure there are numerous Merritt lineages painstakingly assembled and neatly tucked away in countless library stacks and filing cabinet folders. The problem is we don't know where all these books, booklets, pamphlets or duplicated manuscripts are currently located. Therefore, this effort is an attempt to assemble and begin to organize what is commonly available in the literature regarding a few Merritt families who were pioneers in every sense of the word.

Our initial in-depth analysis focus' on Charles Merritt, simply because chronologically, he is among the first to be found whose name appears on a number of legal documents allowing us to follow his footprints from Virginia to North Carolina.

A secondary intent of this publication is, quite bluntly, to "stir the pot" in generating interest for literary offerings by others on the comings and goings of Merritt families who pioneered the south and west; if for no other reason than to correct errors found within these covers!

You will find considerable documentation including data from national and state archives, county court house records, numerous genealogical publications, maps, and so forth.

The task involved the customary visitation of cemeteries, writing letters, checks, sorting, duplicating, feeding countless parking meters, skipping lunch, praying to my Lord Jesus Christ, and running up horrendous phone bills. Freshman eagerness in the possibility of breaking new ground once in a while was tempered with the knowledge that error whether in oversight, ignorance, or through unwarranted assumptions, would easily skew intended accuracy. For this reason, your forebearance when disagreement arises is appreciated. Of course, your critique and suggestions are solicited in "keeping the record straight."

Introduction

Although we find considerable evidence of Merritt colonization in Virginia during the mid-1600's scattered here and there along river shorelines and creeks, we really don't have a clear picture of where they came from and can only conjecture that their arrival primarily stemmed from either the northern colonies (see Merritt lineages in Savage's Genealogical Dictionary of New England and MacKenzie's Colonial Families of the United States of America), Bermuda, or directly from England; perhaps being imported by an enterprising colonist who in turn happily received 50 acres a head from the crown for his effort.

Similarly, our knowledge of the first emigrant Merritts during the 1600's who then moved from Virginia to the largely unexplored regions west or south remains also obscured except for one individual, Charles Merritt.

Since most of our source information is factual and sometimes abstracted involving depositions, court records including deeds, wills and the like; our ability to weigh, evaluate and discuss these events will in large part reflect that which is commonly available.

Initially, we'll review some early Virginia records in an attempt to "set the stage" for Charles Merritt, his wife Ellinor and what we know of their six children. Incidentally, we'll stay with the original spelling of "Ellinor" as it appeared in two early deeds found in Chapter 4, Table 2. Somehow, the popular contemporary spelling of "Eleanor" seems inappropriate here.

Since we are still searching for Charles' parents, our initial exploration of other Merritt family members living in Virginia during the 1600 era will hopefully stimulate reader inquiry into discovering Charles Merritt's familial heritage. Data presented in Chapter I is far from complete and to tie the various incidents together in a narrative format would be nearly impossible to achieve without an extensive research effort. Therefore, the intent in Chapters 1 and 2 is simply to introduce various family members who were contemporaries of Charles Merritt living in Virginia. Their relationship unfortunately remains uncertain at this writing, but clues abound as you will see and the

puzzle of who his parents are will surely be solved one day by someone.

In Chapter 2 you'll discover that some Virginia records show Charles' presence in Surry County, Virginia, but he really doesn't come "alive" for us until his deposition to Edward Moseley regarding the Virginia-North Carolina boundary dispute discussed in Chapter 3. Depositions from others follow, casting a full spectrum of views with politcal undertones which allows us to "read between the lines" and more fully visualize this episode in our country's history.

Following the Ludwell-Harrison journal entries, Charles again returns to center stage and we focus in some detail on where he actually lived. Both colonial and contemporary visuals are included.

Declining health may have prompted the writing of his will which is presented near the end of Chapter 4 and the legatees include the names of his children who are featured in Chapter 5.

Beyond the first generation of Charles and Ellinor's children, grandchildren begin to find their own way in life and move out of the area. Our keeping track of them all rapidly becomes nearly impossible. Of course, the problem becomes compounded with new counties forming and boundaries changing. Therefore, we must follow one father-son lineage through the years vertically and expand horizontally whenever we can with a given generation depending on the availability of information. Generally speaking, we'll find more complete records as time passes and other family lines unfold, but gaps in our current knowledge of these individuals also appear and we can only renew or efforts to fill the void.

Chapter 1

Virginia Background

Although Charles Merritt was among the earliest recorded North Carolina family members whose descendents can be traced, we find quite a few Merritt pioneers in Virginia at the very least stemming from 1635. We can certainly say this if your acceptance of "Merrick", for example, as a variant of "Merritt" is acceptable. Remember that phonetic spellings were most common by early recorders and Merritt was just as readily spelled Merit, Meret, Merrit, Merret, Merrot, Merriott, and so forth. Of course, today we find these and other spelling variations rather "set" as it were, and we are less likely to tolerate whimsical changes by others, especially on legal documents.

Rigorous devotion to such detail for a variety of reasons was therefore not necessarily the rule during our early colonial era and we must evalute all these records accordingly.

Who were these early Merritt arrivals in Virginia and where did they come from? How were they related to each other and how does Charles Merritt fit into the picture?

It would be rather quixotic for us to assume the task of completely answering these questions, but we can shed some light on their early Virginia-Carolina genesis.

Although I'm sure we'll miss some "trees" we really should look at the "forest" for our initial overview of the Virginia colonial Merritt population. We'll start with some immigrant records and then survey a few counties for more evidence of their seventeenth century "comings and goings," albeit somewhat disjointed and bumpy from a reading standpoint.

Some Early Records

Since the Crown wished to encourage colonization, the London Company would assign 50 acres of land to anyone who would pay his own passage to Virginia and if he paid for someone else, another 50 acres would be added to the first 50 acres. (1) With this information, we can begin to sort names and dates as presented below in table format. For convenience, dates are arranged chronologically as recorded in the following table by Greer (2), Nugent (3), and Foley (4). Of course, the spellings are unchanged from publications indicated and the dates are 1600 vintage only.

TABLE 1

Early Merritt Immigrants to Virginia

(with variant spellings)

Arrival Date	Recorded Name	Transported By	Page Recorded in Early Virginia Immigrants (Greer)	Page Recorded in Early Virginia Families (Foley)	Page Recorded in Cavaliers and Pioneers Vol 1. (Nuggent)
1635	Merrick, Hen.	Geo Keth	225	-	30
1637	Merrett, William	Thomas Barnard	224	-	67
1643	Merrick, Thomas	Robert Lawrence	224	-	146
1646	Marriott, Henry	Thomas Babe	-	-	165
1648	Merror, Nicho.	Richard Lee	225	-	178
1650	Merrott, James	George Taylor	225	-	197
1651	Merritt, Henry	Rowland Morgan	-	-	221
1653	Merritt, Wm.	Margaret Upton	225	-	237
1654	Merrick, Wm.	John Wyre (et al)	224	-	290
165(4)?	Merrick, Howel	Col. Argol Yardley	224	-	290
1654	Merreck, Wm	John Wyre et al	-	-	293
1657	Merrick, Marg.	John Wood	-	-	352
1657	Merrit, Hughes	Maurice Rose	-	-	355
1657	Merritt, George	Capt. Edward Streater	-	-	358
1658	Marriott, Wm	John Bishopp	-	-	367
1661	Merick, Danll	James Wilson	-	-	393
1662	Merricke, Dan'll	Wm. Moseley & John Hull	-	-	468
1663	Merick, Danll	Thomas Keely	-	-	426
1663	Merricke, Daniell	Wm Peirce (or Perce/Pera)?	-	-	533
1663	Merrick, Dall (Dan'l)	John Horsington	-	-	479
1664	Marrott, Dorothy	Col. Wm Waters	-	-	517
1665	Merrick, Eliz	Col. Wm Kendall	-	-	533
1669	Merritt, Wm.	Robert Bullington	-	20	-

A quick perusal of Table 1 shows us primarily when these people arrived in Virginia and their names. It does not tell us where they came from or where they ultimately settled after arriving and paying any obligations. Further, this does not necessarily mean that Henry Merrick who arrived in 1635 was the first Virginia family immigrant. Sadly, we may never positively know the answer to that question. Finally, we can hardly assume that the list of names is complete.

Some Early Virgina Records by County

Our next concern of where the first family members actually settled in Virginia can be briefly explored if we organize by county.

As you know, the earliest counties were understandably fewer in number and generally larger in size. Increasing population with the passage of time resulted in further land divisions and more county names. A portion of the map "Highways into New Lands" below shows early Merritt family presence by county in Virginia. The county names and formation dates are slightly shaded for identification. (5) Please also know that the below represents only the most populated areas of Merritt colonization; not all. Our available records are too incomplete to infer otherwise.

Highways into New Lands
(Edited)
Updated 1974 by Robert Foley from Basic Map
U.S. Department of Interior Geological Survey
"State of Virginia" edition of 1937.

With the above as a future guide, we'll now briefly survey Lower Norfolk, Essex and Elizabeth City counties. Although Merritt family members appear in the other shaded counties during the 1600's, our ability to narrate their activities will become possible with any future revelations offered by interested researchers. No in-depth anaylsis is intended, rather, the following only reflects a review of commonly available literature. We'll save Surry County, Virginia for Chapter 2.

Lower Norfolk County
formed 1637 from New Norfolk

Four family members make a brief appearance during the mid 1600's and just as quickly disappear.

The year 1652 finds Henery Merritt involved as a defendent in a case with Thomas Ivey, plaintiff. The abstract and interesting note by Beverly Fleet are both included. (6)

Ivey vs. Merritt

p.7 In cause betw Thomas Ivey pltf and Henery Merritt deft, order that Merritt "returne to the house of the said Ivey and there to use his best industry for the finishinge upp of one kill of Earthen Ware: the said Ivey assisting him with two men according to a condi'con made betweene them, And the said Ivey to gett the Kill finished upp fittinge to burne the aforesaid Earthen Weare And further the said Ivey is to bringe in a full and just account of all disbursments and receipts whatsover laid out or received by the said Ivey since their partnershipp at the next Court". If the work not performed Ivey to deliver to Merritt "his bedd and workinge Tooles with Corne to keepe him till the next Court and then to be heard and determined".

Note: As one drives through this part of Virginia, in the sandy soil there appear great streaks of sticky red clay and other great streaks of a blueish gray something we used to know as fullers earth. If there are brick kilns or potteries around Norfolk I never happen to have seen them, though it is to be presumed that they are there. In the old days this fullers earth was used to make drain pipes, to make paint, to pack horses' feet to protect them, etc.

The origin of the North Carolina potters to the south has never been settled. Not that they care a hoot where they came from. They are there, that is all. At Jugtown (a name that delights me) near Southern Pines and Pinehurst (on side roads dusty in summer and muddy in winter) the tradition is that these potters escaped, in the early days, from Jamestown. But from the foregoing entry it may have been from the Norfolk area. They always were a quarrelsome lot, inclined to be quite fond of the

jug or jar or whatever they kept it in - and still keep it in. However their pottery is just fine. So good it seems impossible for us to get out of North Carolina without at least one more piece in our baggage. Five dollars will provide Christmas gifts for all your superior friends. B.F.

The court record (page 11) later finds the above case settled, but Henery is destined to again appear as a defendent with _____Peeters as plaintiff (court records, page 60). No further record found about Henery Merritt. He is, however, probably the same Henry Merritt imported by Rowland Morgan who on 8 Nov. 1651 received 100 acres in Lower Norfolk County for transporting both Henry and a Mary Roggers. (7)

The same year (1652) also finds another court case involving William Merritt.

"p. 27 Dif betw Wm Merritt pltf and James Thelabell deft to next Court. Also dif betw Tho Ward pltf and Thelabell deft to next Court." (8)

and later...

"p. 34 James Thelabell to pay 2 bbl corn due to Wm Merritt". (9)

The following two years (1653-1654) not only finds William again availing himself of the judicial process (10) but George Merritt appears in a decision to receive from the County Levies "0120" lbs of tobacco for "waitinge on the 13 Burgesses". (11) & (12) A George Merritt also appears in nearby Surry later in 1695. Another Lower Norfolk record of 1652 finds similiar payment in tobacco; this time by Ciprion Marriott. (13)

Since we have no further information at this time on these gentlemen, their familial relationship can only be speculative. Hopefully their lines have been researched by someone.

Elizabeth City County
formed 1634

Elizabeth City records of 1694/5 show two brothers who are contemporaries of Charles Merritt, but their relationship to him remains unknown. Apparently, William Merritt died shortly before August, 1695 (he witnessed a will earlier in January) leaving an orphaned daughter named Elizabeth. John, his brother, refused to serve as administrator to the estate, perhaps due in part to some existing indebtedness to Edmund Sweney. Anyway, a Capt. Daniel Taylor of York County stepped forward and assumed responsibility of administering the estate. William Merritt's estate was judged for payment to William Mallory and Daniel Taylor as administrator. (14)

Since Essex was formed from Reppahannock we find record of James Merriott who owned land joining John Smith in 1663. (15) Thirty years later in 1693 a William Merritt married Elizabeth Norton, (16), and in 1700 Olenor Merritt died. (17) Otherwise, the most visible Essex County Merritt family activity during the late 1600 and early 1700's centered around John, Thomas, and Edward Merritt. Suffice it to say that while Charles Merritt was making his exodus from Virginia and establishing a homestead in North Carolina, John, Thomas and Edward were most active in St. Ann's Parish of Essex County. If you are interested in following them, see references (18) (19) (20) in Chapter 1, Bibliography.

Evidence of other Virginia Merritt family members prior to 1700 can be found in Northampton (Robert Marriot's will of 1665 (21) and Jno. Marriott's will of 1682-1683 (22); Middlesex (Matth Merrit d. 1679 - estate record) (23) and Lancaster records an early turn of the century will of Thos. Merritt in 1717. (24)

From this point we could go on indefinitely charting the Virginia Merritt family well into the 1700's. But our purpose is, after all, to concentrate on Charles Merritt who we believe first appeared, at least from a record standpoint, in Surry County, Virginia. Otherwise, I believe we have established a background showing Merritt family colonization in Virginia during the early 1600 era. Whether or not Charles Merritt was first of the family who permanently colonized North Carolina leaving a traceable family record is equivocal since another researcher could possibly find someone else. For example, there is evidence showing both a Thomas and John Merricke along with a number of other "adventurers" under the leadership of Major William Yeamans agreeing to colonize the Province of Carolina. (25)

1665.

[B. P. R. O. Shaftesbury Papers. Bdle. 48. No. 3.]

Articles of Agreement had and made betweene Edward Earle of Clarendon Lord High Chancellor of England George Duke of Albemarle Master of his Maj^{ties} Horse and Captain Gen: of all his Forces, William Lord Craven John Lord Berkeley Anthony Lord Ashley Chancellor of his Maj^{ties} Exchequor Sr George Carteret K^{t} and Barronet Vice Chamberline of his Maj^{ties} Household Sr John Colleton K^{t} and Barr^{o} and Sr Wm Berkeley K^{t} the Lords Propriet^{rs} of the Province of Carolina of the one part And Maj^{r} Wm Yeamans of Barbados for and on the behalfe of Sr John Yeamans Barr^{o} his Father Collonell Edmund Reade

Symon Lambert Niccolas Edwards Robert Gibbs Samuell Tidcombe Henry Milles Thomas Lake Tho: Maycoke John Somerhayes Bartholomew Roes John Gibbs Basill Gibbs John Dickenson Thomas Gibbs Benjamin Rees Miles Scottow Nathanyell Meazericke Bartholomew Rees Junor John Arthur Samuell Smith Thomas Partrige John Walice John Brent John Godfrey George Thompson Robt Williams Lawrence Halske Wm Burges John Tothill James Thorpe Robt Tothill Wm Forster Thomas Merricke John Merricke George Phillips Edward Jacobs Robt Hackett . . .

In consideration whereof

The said Majr Will: Yeamans doth covenant as well on the behalfe of his Father Sr John Yeamans Baro and of Coll: Edmund Reade and of all the adventurers settlers and planters before exprest and of all others that shall adventure setle and plant as of himselfe that they shall for their pte perform fulfill and keepe all ye the partieulers that are to bee by them performed menc̄oned in the Concessions and Agreement hereunto annexed And that there shall be provided before the last day of September next two shippes of one hundred and twenty tonns each of them at least with Ordinance convenient in each shipp and with powder shott and provisions necessary for the transportation of such persons as cannot pay for the passage of themselves to the Southward of Cape Romania there to setle and plant and to erect a foart and in it to plant the Artilliry sent by the Lords aforesd for the retreate and preservac̄on of the first settlers and of those that shall follow In witness of truth the said Majr Wm. Yeamans hath hereunto set his hand and Seale this seventh day of January In the sixteenth yeare of his Majties rayne Anno. Dom: 1664.

The Concessions and Agreement of the Lords Propryators of the Province of Carolina to and with the adventurers of the Island of Barbados and their associates of England New England the Carribbia Islands and Barmothos to the Province of Carolina and all that shall plant there In order to the setling and planting of the Countye of Clarendine the County of Albemarle and the County which latter is to bee to the southward or westward of Cape Romania all within the Province aforesaid.

Incidentally, the above agreement was signed when Charles was a twelve year old boy, but we don't know where he was actually living at the time.

Capt. William Merricke is similarly included under the same terms and location in the last paragraph of the below letter.(26)

[B. P. R. O. Col: Ent: Book. No. 20. p. 21.]

Sir John Yeamans

Sir,

Haveing receaved a good carrector of your abillityes and Intcagryty and of your loyalty to the kinge from Sir John Colleton, with an assurance that you will viggorously attempt the setling of a Collony or plantation to the southward of Cape Romania which will conduce much to the Interest and honour of the kinge and advantage of his people, and more especially that of the first setlers, wee have in the first place prevaled with his Majestie to conferr the honor of a knight Barronet upon you and your heires, to whome wee have given assurance that you will deserve the same;

In the next place we have by our Commissions which goes by your Sonn, made you our Lieutenant Generall and Governor of that parte of our Province of Carolina, which we conceave may most conduce to the setlement aforesaid and in as much as cann yet be under our Government for many reasons which we have not time to shew, we have in our agreement with your Sonn indeavoured to comprehend all Interests especially that of New England from whence the greatest stocke of people will in probabillity come, our more southerne plantations being already much drayned, wherefore we advize you to contrive all the good wayes you cann imagen to get those people to joyn with you in which there wilbe a common Utillity especially by keepinge those in the Kinges dominions that either cannot or will not submitt to the Government of the Church of England.

As for the six thousand acres of Land by you desired from us we doe here oblige ourselves to graunt the same to you or your assignes to be by you or them taken to the southward or westward of Cape Romania, by lott as other lands are to be taken up, in which we desire you to avoyde the comeing to neare the home Lotts which if you shall doe for any greate proportion, it will thin the people and weaken that part to the indangering of the whole, and alsoe as you take it up or cause it to be taken up and bounded within 3. yeares after the date hereof, you paying one halfe penny per acre English measure yearely the first payment to begin the 25th day of March which shalbe in the yeare of our Lord 1670. according to the English account.

Wee doe likewayse ingage ourselves to graunt to your frind Captain William Merricke or assignes fifteene hundred acres of Land English Measure, in the places upon the tearmes, wee have ingaged to graunt to you, wishing you good success and prosperity in your intended voyage and undertakings

we rest

Your very loving frinds.

Cockpitt this 11th January 1664.

You will notice from the above that the region described is today in South Carolina. Hopefully, (again) someone will come forward with information on the ultimate disposition of adventurers John Merrick, Thomas Merrick and Capt. William Merrick.

There is another pre 1700 record of a "Tho. Merrett" who was one of four imported by Caleb Calloway at Court held at the house of Diana Foster, dated 1st Monday in February 1693/4. Precise Carolina location and ultimate fate of Thomas Merrett is unknown. (27)

With these Carolina revelations, as "grist for the mill," perhaps another wiser, more energetic researcher can "tie-in" a Merritt line with one of the above (or any other), thereby dethroning any "founding father of Carolina and points South" status we might otherwise bestow on our friend Charles Merritt.

Chapter 1

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    Vol. 8....pages 4,8,56,61, and 82
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Chapter 2

Charles Merritt in Surry County, Virginia

The early presence of Merritt family members in Surry and their kinship to Charles Merritt is again speculative since at this writing we have not found a will or other record in which Charles is mentioned. Initially and most prominently we find two other "local" individuals, Matthias and William Marriott, who make their legal appearance in Surry before Charles. A recent publication exploring the Gookin lineage has reportedly connected this family with the colonial Marriott, Collier and Warren lines. (See letter reference at the end of Chapter 2 Bibliography). There is some indication but no certainty that Matthias originally may have come from James City County, Virginia. Matthias also had a son, William. The Major William Marriott recorded a tithable in Figure 1 may also be the same William Marriott of record in 1652, 1653 and 1654 (Book I, Surry County Records [earliest entry 1650]). Our introduction to them and Charles is below in a Census of Tithables by year. Interestingly, the spelling of Marriott remains constant not only below for Matthias and William, but in other records as well. Charles, on the other hand, received no such favored treatment by recorders as evidenced below and elsewhere while living in Virginia.

Figure 1

Abstract of Census Tithables in Surry County Virginia by Year (1)

1668 - Mr. Mathias Marriott
Maj. Wm. Marriott

1674 - Marriott, Mat

1678 - Cha. Marrett
Math Marriott

1683 - Marriott, Charles (Lawnes Creek area also include Benj. Harrison)

1688 - Chas. Merrit
Math Marriott

1694 - Merritt, Charles

1698 - No Merritt or Marriott recorded (or other spelling variant)

There is no further tithable record for Major William Marriott since he died in 1673 and Matthias Marriott later in 1707. (2)

Both of these men originally received land grants from the crown. William in 1669 for 1460 acres and Matthias in 1672 for 338 acres. (3) Unfortunately, Matthias also found himself in court the same year on what today one would consider somewhat archaic circumstances. Note the presence of Benjamin Harrison serving as one of the justices. Harrison's involvement with the Merritt family continues later with Charles.

Surry Court 4th Sept. 1672

Present, Col. Thos. Swan, Lt. Col. George Jordan, Capt. Lau. Baker, Major Wm. Broune, Mr. Robert Caufield, Capt. Robt. Spencer, Mr. Benj. Harrison, Justices.

Matthias Marriott was found in contempt of the court. This was based upon an Act of the Assembly restraining servants from walking abroad on Sundays. Also it was found that he gave his negro a note "to go abroad on Sunday," he having no business, also he rendered scurrilous language to the Court both yesterday and to-day." He was fined 200 lbs. of tobacco with costs.

Whereas information hath been given to this court that too careless and inconsiderate liberty is given to negroes, not only in being permitted to meet together on Saturdays and Sundays, whereby they win opportunity to consult of unlawful projects and combinations to the danger of the neighbors as well as to their masters. Also that the apparel commonly worn by negroes does highten their foolish pride and induce them to steal fine linen and other ornaments, where if it is ordered from henceforth that no negro shall be allowed to wear any white linen but shall wear blue shirts so that it may be discovered if they steal or wear other linens. (4)

Sometimes we forget that these were challenging times for the colonists not only from a daily survival standpoint, but politically as well. The year 1676 found Surry County heavily embroiled in the well-known Bacon's Rebellion. An excellent account of this conflict recorded by Boddie includes a deposition by Alice Warren Marriott, wife of Matthias. (5) Since a clearer understanding of her statement needs author Boddie's comments, a portion of this information is found in Appendix A. Another portion of Colonial Surry is devoted to Alice Warren's (Marriott) side of the family. Her father, Thomas Warren became a Burgess for example, when he was only twenty-one years of age. (6)

Where did Matthias and Maj. William Marriott live in Surry County? Cavaliers and Pioneers, a trusty reference for this sort

of information since creeks, rivers and the like are used in identifying property locations, offers a few clues. For instance, we have "land of Major Marriott...now in possesion of Samll Thompson" mentioned on two occasions. (7) Both are grants to someone else who received land next to his. The first location is an area on "SE side of Pigeon Swamp". This was a 1684 grant, and the second mentions property located on the lower part of Surry County "on Black Water brs.." This was a 1682 grant. (8) You will notice that that above dates are both after Major William Merritt's recorded demise. Perhaps the reference is simply to land that once was his.

Although Matthias Marriott's home location is in question, Matthew Merriott is identified as a land owner in another individual land grant for transporting some people into Surry County. This is in the area "...on N. Side of the head of Graye's Cr., 20 Apr. 1684." (9)

The reason for including this seeming minutia is to show the close proximity of these Marriotts to Charles who apparently lived both in Lawnes Creek area and on another occasion near the Blackwater River when he was overseer for Benjamin Harrison for five years. We'll explore these events in Chapter 3.

Both William and Mathias departed this life before Charles and his wife Ellinor really established themselves in North Carolina. Abstracts of their wills including another 1682 record are copied from the abstract. Charles is not mentioned. (10)

Wills & Administration Surry County, VA, 1672-1750, 1955 Eliz. Davis.

Page 114.

MARRIOTT, Mathias: Leg. - Wife, Allice, to have and enjoy the land I live on for her widdowhood; after her death or marriage to return to my son, William Marriott; if he die without issue to go to my grandson, Thomas Flake, son of Robert Flake. The rest of my estate to my wife Allice, and my son, William. To daughter; Margaret Flake and daughter Elizabeth Hill and daughter, Marriott Crips to each a book of Divinity. Makes wife, exorx. Made: 12 June, 1705. Prob. 2 Sep. 1707. Wit: James Thompson, Wm. Hunniford, Roger Williams.
Book 5 - Page 374.

MARRIOTT, William, Est: 11 July, 1673. This estate is indebted to George Proctor, who married the Relict and exorx. for debts and legacies. Paid Wm Atkinson by will to his wife's legacy. Paid Mr. Salway, who married Elizabeth Peck, due by will. By debts in Henrico Co., Isle of Wight Co., Charles City Co., and James City Co., Dr. King's bill etc. etc.
Book 2 - Page 37.

MARRIOTT, William, Est: Obr 7, 1682. Paid to Mr. Proctor in right of his wife, one-third of est. Amt. to orphans, which is due Mr. Sam. Thompson as marrying ye surviving of ye two orphans. Deduction for funeral, and other expenses.
Book 2 - Page 323.

Some observations are now in order before we proceed further. Most importantly, official records establish Charles' presence in Surry before his removal southward to North Carolina. We initially find him in the 1678 Surry County Tithable list and he is subsequently found repeatedly in other later tithable lists up to and including the 1694/5 roster. The actual date found on the original list at the bottom signed by "Benja Harrifon" is "June 10: 1695." In the interim between these dates only two records emerge. The first in 1687 shows "Cha Merrett" patriotically serving as a foot soldier in the Surry County Militia and the second where he is awarded a judgement in a law suit (below).

(3 March 1695)

Wiliam Ray being returned _____at the suit of Charles Merritt was called to come forth and answer the same but made noe appearance, an attachment is therefore granted the sd. Merritt against the estate of the said Wm. Ray for four hundred and _____pounds of tobo with costs Returnable to the next Court for Judgement. (12)

Again, since we have yet to locate any concrete information regarding his parents, we are reduced to scavanging and assembling whatever data we can which might at least give us a clue. Even though he is not found in either William or Matthias Marriott's estate proceedings, we cannot dismiss the possibility of their close kinship. Sometimes disagreements arise and a family member can be disinherited. Brothers and sisters don't always include each other in their wills. An aunt or uncle may not include a nephew or niece as a beneficiary, and so forth.

Still, we are not without hope, for while researching in Surry County, Virginia, Clerk of the Court records room, another name unexpectedly surfaced in a deed book shortly before the 5 p.m. closing time. As you may well know, a number of the early hand written deed indices listed only grantor names with grantee name immediately following and not in a separate column, either. There was no separate grantee list for cross reference. Consequently, for one to at length scan every second name following the grantor name is an exercise guaranteed to accelerate one's need for bi or even trifocul lenses. Following the name of John Maugham (grantor) appeared a George Merritt (grantee) in Lawnes Creek dated 23 March 1695/6. (13)

Mangham to Merritt (Lawnes Creek) George 23 March 1695/6

George Merritt (grantee)

witness that I John Mangham of Lawnes Creek in the County of Surry for and in of of land situate (?) John (last name?) in the Isle of Wight County this day assigned and to me by George Merritt of Lawnes Creek parish in the County of Surry aforsaid have devised granted and lot (?) unto the said George and of land in the within mentioned by of Richard to have and to hold the said one hundred acres of land with all privileges and advantages whatsoever belonging to him the said George Merritt and from the day of the date thereof be fully and , force? and and paying to the said Mangham thereto as assigned on the 25th day of yearly being lawfully demanded of good sond In testimony whereof I have forthwith put my hand and this 23rd day of March 1695/6.

Signed and Sealed in presence of
Hoffman
John Atkinson

The above mentioned to be acknowledge when the said Merritt shall think fit

At a Court held at Southsark for ye Court, of Surry 7 March 1698/9

Upon the request of George Merritt the above was ordered to be

With the above revelation, more questions arise. Is this the same George Merritt imported in 1657 by Capt. Edward Streater or perhaps his son? Did he just arrive thereby explaining his absence on other tithable lists or just come of age? Why isn't he on the 1698 tithable list? And most importantly, what was his kinship to Charles?

Note: A most comprehensive account of Matthias and William Marriott's activities in Surry can be found in Guide to the Buildings of Surry and the American Revolution by James D. Korwolf published by the Surry County Bicentennial Committee, 1976. Since this is a scarce item to come by, contact the Clerk of the Court, Surry, VA 23883 and request duplication of their copy pages 82, 114, 115, 119, 120, 122, 123 (Wakefield Plantation information), 137, 183, 194, and 195. The book outside cover shows an area map which can also be duplicated. Of course, you'll need to check current costs per page and mailing.

Chapter 2

Bibliography

1. John Boddie, Colonial Surry, Southern Book Co., 1959, pp. 182-203.

2. Clayton Torrence, Virginia Wills and Administrations 1632-1800 ... An Index, Genealogical Publishing Co., Baltimore, 1965, p. 282.

3. Boddie, Colonial Surry, p. 175.

4. Boddie, Colonial Surry, p. 154.

5. Boddie, Colonial Surry, pp. 122-124.

6. Boddie, Colonial Surry, p. 70 (also, read pages 68 to 71+).

7. Nell Marion Nugent, Cavaliers and Pioneers, Vol. 2, Genealogical Publishing Co., Baltimore, 1963, pp. 276-277.

8. Ibid., p. 231.

9. Ibid., p. 277.

10. Eliza Davis, Wills and Administrations, Surry County, Virginia 1671-1750, 1955, pp. 114-115.

11. William A. Crozier, Virginia County Records, Vol. II Virginia Colonial Militia 1651-1776, Genealogical Publishing Co., Baltimore, 1973, p. 101.

12. Surry Court Orders 1691-1713 dated 3 March 1695, Office of the Circuit Court of Surry County, Surry, Virginia, 23883.

13. Wills and Deeds Part I 1694-1709 dated 23 March 1695/6, p. 162. Office of the Circuit Court of Surry County, Virginia, 13883.

Letter reference - corresponence from Mary E. Spiron regarding recent publication of The Gookin Family which can be ordered from Richard N. Gookin, 2838 Evergreen Ave., N.E., Salem, Oregon 97303. Correspondence also included printed exerpts (unknown source) compiled by Charlotte R. Carrere.

Chapter 3

From Virginia to North Carolina

Thanks to the ever present dispute over property ownership lines common in colononial times, our continuing introduction to Charles Merritt materializes in several preserved state documents. The first, a deposition orally given by Charles on 22 January 1707 to Edward Mosely involves in a broader sense the lingering dispute over the Virginia - Carolina boundary line location.

By this time, Charles has left the Surry-Lawnes Creek area in Virginia and resettled to the south near the contested boundary. His deposition allows us to once again look briefly back in time from 22 January 1707.

North Carolina ss.

Before me Edward Mosely Esqr one of the members of the Council and Authorised to take the Depositions of certain persons relateing to the boundarys of this Government Personally Came and appeared Charles Merritt aged fifty five years or thereabouts, Who on his Oath on the Holy Evangelists taken saith that he Came into Virginia in or about the year 1666. And lived about twenty yeares on the south side James River and then lived on A Plantation of Coll^{o} Benjamin Harrisson on Blackwater and within call of the Weyanoake Indian Forte and consumed there five yeares during which time this Deponent had frequent Discourses with the Indians and was by them informed that they never Claimed to the Southward of the Maherine River But at the time that the Appachoukanough was Routed and taken for the Massacre he had committed the Weyanoakes (being his Confederates and fearing the English) removed themselves from that place which is now called Weyanoake in James River to Warraekeeks on Weyanoake River and after when the Poackyacks killed their King they were by the English brought from thence and placed on the Blackwater aforementioned as Tributarys. where this Deponent lived by them and this Deponent further saith that he was informed by the Weyanoaks that the Weyanoke River now Called Nottoway was their bounds and that they never Seated to the Southward of Warr-a-keeks

Capt at Jurat Duodecimo die J^{any} Anno Dom̄i 1707

the mark of
CHARLES P MERRITT.

Coram me Edwd Moseley

A wealth of information can be harvested from the above.

A. Charles was born CA 1652.

B. He arrived in Virginia CA 1666 when about fourteen years old, but we don't know from where he came.

C. He lived twenty years on the south side of the James River after the formation of Surry County. At the end of twenty years in 1686, he was thirty-four years old.

D. He then worked for five years beginning in 1686 on Benjamin Harrison's plantation bordering the Blackwater River.

E. At the end of his employment in 1691, Charles was thirty-nine years old.

We can deduce the above if we accept fifty-five in deference to "thereabouts" in line 4 above!

Further, Charles' association and close habitation with the Weyanoake Indians is interesting. I'm sure he could tell us quite a few additional "hair raising" stories regarding the above.

On the following page of this source (p. 661 below), similar depositions to Edward Moseley are offered by John Smith and Richard Booth. The latter mentioning a Major Merritt. His kinship to Charles remains tantalizingly uncertain. Major Merritt is in all probability the same Major William Marriott referred to in Chapter 2 also as a resident of Surry County until his demise in 1673.

North Carolina ss.

Before me Edward Moseley Esqr one of the members of the Council and being authorised to take the Depositions of Certain persons Relateing to the boundarys of the Government personally came and appeared John Smyth aged sixty two yeares or thereabouts borne in Newport Parish in the Isle of Wight Couty ab^{t} fourteen miles from Blackwater River who on his Oath on the holy evangelists taken saith that he lived in Newport parish till the year one thousand six hundred seventy three or thereabouts at which time this Deponent came and lived about five miles off Blackwater and about thirty miles off Weyanoake River which was always in this Deponents memory Known to be the first River on the Right hand as you go down Blackwater till within these twenty years or thereabout the Nottoways comeing to live nearer the River than they used to do and the Weyanoakes being all declined it Gained the name of Nottoway and this Deponent further saith that he never knew or heard of any other River that was Called Weyanoak except the abovesaid by the Virginians lately Called Nottoway

JNO SMYTH

Capt and Jurat Vicessimo
primo die Januar anno 1707

Coram me Edwd Moseley.

North Carolina ss.

Before me Edward Moseley Esq[r] one of the members of the Council and being Authorized to take the Depositions of Certain persons relateing to the boundarys of this Government, personally Came and appeared Rich[d] Booth aged sixty three years or thereabouts who on his Oath on the Holy Evangelists taken saith that in or about the year 1661 this Deponent came into Virginia and served Major Merritt six years (who then lived about Twenty miles from the Weyanoake Indian Town the Weyanoks living very near a plantation that now belongs to Coll[o] Harrison betwixt Blackwater River & Weyanoake River which Weyanoake River by reason of the Declension of the Weyanoake Indians and the Nottoway Indians removing nigher to it has since in this Deponents memory gained the name of Nottoway River by the Virginians) And this Deponent further saith that in the year 1667 he being employed by one William West to go in a Canoe with Certain goods &c to the Maherine Indian Towns one Jno Browne and a certain Weyanoake Indian called Tom Frusman being in the Canoe with him as they went down Blackwater River this Deponent then being a Stranger in those parts any other than by hearesay enquired what river that was they first mett with on

their Right Hand they answered it was Weyanoake and Opposite to the Rivers mouth was a field belonging to the Weyanoakes it being then about one of the Clock in the afternoon this Deponent enquired how far it was to Maherine River they answered they should gett there before sun down which they did accordingly whereby this Deponent Computed it was about thirteen miles by Water and this Deponent further saith that he never understood that the Weyanoake Indians ever lived to the Southward of that River

Capt et Jurat Decimo die Januar[y] Anno 1707 — RICH[d] BOOTH.

Coram me Edward Mosely

Now that we have at least partially digested the personal background and related understandings of the Virginia - Carolina boundary question by three neighboring colonists, you can both compare and contrast the below 15 November 1707 deposition by Benjamin Harrison, Charles' former employer. (3)

Deposition of Benjamin Harrison in Regard to Indian Affairs, 1707.

Benjamin Harrison, Esq., aged sixty-three years, or thereabouts, being sworn, saith:

That to the best of his remembrance in the year one thousand six hundred and sixty three in the month of September, the Waynoak Indians sent in to the Governor and informed him that their king was killed by the Pohick Indians, whereupon a party of men were imediately sent out, who brought in the Queen and severall other Waynoak Indians; and in a few days after, another party of men were sent out of which this deponent was one, the Queen and her Indians went back with them, and they found the rest of the Waynoak Indians by the side of a great Swamp to the Westward of Nottoway River sheltered with a peace of a puncheon fort; about five or six miles from their Town; which was then called Wariecoke, standing near the banke along the South side of Nottoway River, to which place the English and some Indians went to gather corne for theire Journey in, and then they went back to the beforementioned swamp, and brought all the Waynoak Indians (they could find) in amongst the English; where to the best of this deponents remembrance they stayed about two yeares; and then, the English being uneasy at the Indians hunting upon their lands, the Indians went out again, as this Deponent was informed (and verily believes) to the Southward of Meheren River but to what particular place he does not know, they continued out (as well as this Deponent remembers) about two yeares; and then the Tuscarora Indians and they having some difference, the Waynoaks came in to Meheren River where (as they said) the Tuscarora[s] fell upon them; and then they sent again to the Governor, who sent another party of men out to them, of which this Deponent was one; they found the Indians in an old field called Unotee very near the banke of Mehern River on the North side of it, sheltered with an half moon made with puncheons, and they brought them in a second time amongst the English. In these Expeditions the Deponent Crossed Nottoway River four times, one night they Quartered very near it; and in all the Discourse that this Deponent had or heard about it, it was always called Nottoway River (and by no other name) both by the English and Indians, and whilst the Indians stayed amongst the English they had some Cabbins in the Deponents orchard, where he had severall Discourses with them, and he does verily believe that if ever Nottoway River had been called by any other name he should have heard something of it from them, but he never did. The second time the Waynoak Indians came in they stayed amongst the English about a yeare or more and then they settled upon the South side of the Black Water Swamp, at a place now called the old town, where they stayed about seven or eight years, and then they removed about four miles down the Swamp on the same side, which was their last Settlement, very near the place where this Deponent now hath a Plantation; upon which Charles Merrit was overseer, who went thither about the year 1691 or 1692, and continued there about five years and then he removed to some land belonging to the Colledge, where as this Deponent was informed, he stole severall of his hoggs, and upon

this being known, the sense of his guilt (as the Deponent verily believes) made the said Charles Merrit runaway into North Carolina, and since that time this Deponent hath been severall times told by the Nottaway and Meheren Indians that the said Merrit has desired them to speake to him (this Deponent) that he may have leave to come back again into Virginia, which he was desirous to do if he might be out of fear of being prosecuted for the said hoggstealing. This Deponent further saith that he hath been concerned in the Indian trade both with the English and Indians for about five and thirty years passt or more; and hath many times had Discourse about Meherrin River, Nottoway River, and Blackwater, and he never heard them called by any other name than what they go by at this day. He believes he may have severall times have heard the name Waynoak River or Creek but never knew where it was, till of late the Inhabitants of North Carolina making encroachments upon the Queens land (as this Deponent apprehended). He made inquiry about it of the Nottaway, Meheren, and Nansemond (or Pochiack) Indians and they all said that after they left Mapacre they Waynoaks went to the Southward of Meheren River and setled in a fork between the two great swamps which are the head Branches of a small River that empties itself into Chowan, and that (they say) is Waynoak River, and that they neither knew or ever heard of any other Waynoak River but that.

And this Deponent further saith, that about five and twenty years ago, the Tuscaroro Indians fell upon the Waynoaks, at their last settlement upon Blackwater Swamp; and the Nottoway Indians were said to join with the Tuscaroras: Whereupon the Queen of the Waynoaks complained to the Deponent of the wrong the Nottoways did them, for that the Waynoaks had paid them a yearly acknowledgement for their liberty of living at Warueake (upon Nottoway River) as long as they lived there, and afterwards they paid them for the liberty of living upon the Blackwater, and of late, this Deponent enquiring (about it) of the Nottoways, they confirmed the truth of the Waynoaks having paid them an acknowledgement, till the Articles of Peace were made with the English; and then they looked upon themselves to have no further right to any land than those articles do

Since Charles is not here to respond to Benjamin Harrison's observations regarding the circumstances surrounding his (Charles') resettlement to the south, we can only become increasingly curious with what events really transpired.

Less than two months following his 22 January 1707 deposition to Edward Moseley, Charles and wife Ellinor purchased land in North Carolina near Winton on the south side of the Chowan River. There is no question about this location as we shall see in Chapter 4.

What is puzzling can be found in another account of Charles' domicile couched in a report to the Virginia authorities by Philip Ludwell and Nathaniel Harrison (same topic) in October, 1710. This is three years after the Merritt to Moseley deposition. While reading, please notice the final sentence of their below diary (dated 29 September). Harrison and Ludwell questioned the same individuals, (Charles Merritt, John Smith and Richard Booth) that Edward Moseley had earlier in 1707, i.e., Merritt, Booth and Smith were all neighbors. Now the next day, 30 September, Harrison and Ludwell again return to the same locations (as 29 September), and determine their latitude to be 36° 40", which is well inside the Virginia line.

A second purpose for reproducing a sizeable portion of this report is not because of any lengthy revelation about Charles, although he is mentioned, but to more clearly focus on the actual environment and personalities of other colonists who "rubbed shoulders" with him and finally taste the political differences between Harrison (Virginia) and Moseley (Carolina). I'm sure you will find the account most interesting.

The map following shows a line representing 36° 40" referred to in diary page 742 dated 3 September 1712. A circle is drawn around the approximate location of land purchased by Charles and Ellinor earlier in 1707.

The below edited 1710 report reflects the Virginia viewpoint concerning the boundary dispute. (4)

A JOURNAL OF THE PROCEEDINGS OF PHILIP LUDWELL AND NATHANIEL HARRISON COMMISSIONERS APPOINTED FOR SETTLING THE BOUNDARYS BETWEEN HER MAJESTYS COLONY AND DOMINION OF VIRGINIA AND THE PROVINCE OF CAROLINA.

Before we enter upon the Narrative of our proceedings it will be necessary to observe that on the arrival of Her Majestys Letters Mandatory directing the appointment of Comm^rs for settling the Boundarys between Virginia & Carolina, the President & Councill thought fitt to appoint us on the 18th of Aprill last to be the Commissioners for that purpose, & on the 27th of the same month our Instructions were agreed on in Council. Thereupon Mr President (after having discoursed Mr Lawson one of the Commissioners of Carolina) writt to the s^d Comm^rs on the 5th of May notifying our being ready, & named the 9th of June as a proper time for a meeting of both Commissioners at Williamsburgh to concert & adjust the method of proceeding in this affair, In anwer to wch letter, Mr Lawson writt to the President that he had not seen Mr Moseley (the other Comm^r) that he was then very busy in settling the Palatines (in wch he expected to meet with much difficulty by reason of the distractions of that Government) and that therefore they the Comm^rs of Carolina could not meet us according to that appointment, but hoped they should be able to do it in July, & Mr Moseley in a letter of the 5th of June excused his attending the Meeting as not having then seen Mr Lawson nor the powers given them by the Lords Proprietors, but that when he had, he would give timely notice when they the Comm^rs of Carolina could meet.

Thus this matter stood at the arrival of the Lieut^t Governor who having thought it necessary to have our Instructions re-examined & considered before himself in Council, was pleased on the sixth of July to sign our Commission, & Instructions according as they had been agreed on.

On the 18th of July we received our Commission at Williamsburgh, & there hearing no farther of the intentions of the Comm^rs of Carolina, We writt the following Letter to them.

WILLIAMSBURGH July 18th 1710.

"Gentlemen

"Having received a Commission from Her Majesty's Lieutenant Gov-
"ernor to Act in conjunction with you for settling the Boundarys be-
"tween this Her Majestys Colony of Carolina we were in hopes that
"according to what you were pleased to writt to Mr President Jenings,
"you would have signifyed to us when you could conveniently have met
"us, for adjusting the proper methods of carrying on this work, but hav-
"ing heard nothing from you since Yr Answer to the Presidents Letter,
"We think ourselves obliged very earnestly to desire you will let us
"know your last resolution, whether wee may expect to meet you at Wil-
"liamsburgh any time this month; or if you do not think fitt to meett
"us there, we desire you to appoint some other place where we may meet
"you this month because the season of the year will not admitt of any
"longer delay. We are

Gent

Your most humble servants

PHIL: LUDWELL
NATT: HARRISON

Superscribe
"To Edwd Moseley & Jno Lawson Esqrs
"Commrs appointed by the Lords
"Proprietors of Carolina, for settling
"the Limits thereof or either of them
in North Carolina.

We communicated this letter to the Governor, who was pleased to desire we would press the Commissioners of Carolina to give the most expeditous dispatch that could be to this affair, whereupon we writt the following postscript to this letter.

"July the 19th 1710. Coll: Spotswood our Governor being very press-
"ing to have this affair expedited as much as possible, we are obliged
"once more to desire you will please to appoint us the shortest day of
"meeting that can be, and that you will give this messenger the quick-
"est dispatch with yor Answer, which will very much oblige

Gent

Yr most humble servants

P L
N H

On the 1st of August I (Nath: Harrison) received the following letter from Mr Moseley by the same Messenger that carryed our letter to him.

North Carolina July 25th 1710.

"Gent

"This day I received yours of the 18th instant relating to the Boun-"darys between this Governmt and Virginia, I think myself obliged to "acquaint you that I have taken all the necessary measures I possibly "could to bring it to some issue, for immediately after my receipt of Mr "President Jening's Letter (which came from Mr Lawson) I dispatched "a Letter to Neus desiring Mr Lawson to inform me when he could "be at Leasure from his concerns with the Palatines lately arrived, that "we might attend this business; Since which on the nineteenth of the "last month I pressed him to a speedy Determination, but to this "time have received no answer which I ascribe to the great Distance he "is from me, at least an hundred miles, and three Large and difficult "Ferrys in the way. However I have adventured to appoint the one "and twentieth of Augnst next for our meeting you at Williamsburgh "agreeable to Mr President Jening's request and yours, being desirous to "shew my ready complyance to anything that may make evident my "willingness to retrieve the passed time.

"I design to-morrow to send a Messenger directly to Mr Lawson to "advertise him hereof. In the meantime

I am
Gent
Your most humble servant
EDWd MOSELEY

August 21st We went to Williamsburgh expecting to have mectt the Commrs of Carolina, but they did not come. August 25th Being informed that Mr Hyde (Governor of North Carolina) was come to Williamsburgh, and expecting the Commrs were come with him I (Philip Ludwell) went thither where I understood Mr. Lawson had been there, and was gone to Captain Jones' with design to return home speedily there being no news of Mr Moseley. I immediately waited on the Governor to receive the Direcons how to proceed who was pleased to direct me to dispatch a Messenger early next morning to Mr Mosely to desire his Company as soon as possible at Wmsburgh and in the mean time he was pleased to engage Mr Lawson to stay for the return of the Messenger. August 26th Early in the morning I sent away the following letter to Mr Nathaniel Harrison to be by him sent to Mr Moseley.

Virginia Augŭst 25th 1710. Conformable to your appointment in your letter of the 25th of July. We mett at Wmsburgh on the 21st instant where

we flattered ourselves we should have had the honour of your Company but being disappointed of it that day without hearing from you and also being informed that several Carolina gentlemen designed to wait on Mr Hyde that very day at Norfolk We concluded we should see you at Williamsburgh in two or three days Our Conjecture proved not altogether wrong for Mr Lawson arrived on Wednesday or Thursday (having been hindered a day or two in his passage) but not finding you here resolved to return home speedily Our Governor Coll. Spotswood being desirous to bring this affair to as speedy a Conclusion as may be (and being apprehensive that if we fail of a meeting while Mr Lawson is here it will be in vain to expect any further proceedings in Concert with you this year) commands us to desire y^r^ Company at W^ms^burgh as soon as possible because Mr Lawson's affairs are very urgent and his Hon^r^ has undertaken to engage Mr Lawson to stay three or four days longer

We send this by an Express & hope to have the Honour of your Company at Williamsburgh by Wednesday next where we shall be always ready to do everything that can be expected for expediting this good Work and in the meantime, We are S^r^

Your most humble servants

PHILIP LUDWELL
NATH: HARRISON

To EDWARD MOSELEY Esqre one of the Commissioners appointed for setting the bounds betwixt Virginia & Carolina, at his house in North Carolina

As soon as this Letter was dispatched I sent a letter to Mr Lawson Inviting him to my house & to inform him that We had sent to Mr Moseley and expected he would come in four or five days, In answer to which he writt that he had already promised the Governor to stay for the return of the Messenger.

Augt 30. We mett the Carolina Commissioners in the Conference room in the Capitol. As soon as our Commissions on both sides were read Mr Moseley objected that we could not treat of this affair because there was a variance in our Commissions. For their Com^s^ impowered them only to Act in Conjunction with us and by the preamble of our Comm^re^ it seemed that the Queen designed no more & yet our Commission impowered us to Act separately. This he insisted on very much questioning the Governors power to give such a Commission. We argued that it could be no objection that a Commission had too full a power given him to treat

That our Commission appointed us to Act in in Conjunction if they would, & to that end we were mett and if our Commission did go further to impower us to act seperately in case of disagreement that could be no objection till we had treated & tryed whether we could agree or not besides We thought that what we were appointed to do in case of Disagreement could not properly be called acting seperately since it was nothing but what was necessary for giving Her Majesty a full information of the Case whereby she might be enabled to make a Determination of it & as to the Governors power since he had given it under his hand that it was in pursuance of Her Majestys commands we should not doubt his power nor our own if she did not agree. At last Mr Lawson being satisfied Mr Moseley was forced to quitt the argument and then we proceeded as the Minuts taken by Mr Robertson will shew, but we must remark that Mr Moseley started all the captious Arguments and Exceptions that could be.

This Conference ended without coming to any other agreement than that we would proceed to take more Affidavits on both sides & then make a Tryal of the Latitude at both the contested places. In order to which Mr Moseley agreed to come to Green Spring the next day, from whence we were to sett out to take the Virginia Affidavits first, but I (Nathaniel Harrison) being taken very ill of an Ague that night, I (Philip Ludwell) went to the Governor's next day to meet Mr Moseley & endeavour to put off our Survey for two days, but I found Mr Moseley very urgent to delay it much longer, for he said his horse was gravelled, & he had such urgent business that he must go home at last (the Governor pressing him very much) he came to this resolution that on Tuesday the 19th he would come to the house of Mr Nath: Harrison to proceed in taking our evidences in Virginia, and from thence we should go with him to Carolina to take their evidences, which we hoped might be done by the 28th, against which time he was to give Mr Lawson (whom he expected to see that night) notice to meet us with his Instruments to go & try the Latitude.

September 21st Having waited in vain these two days for Mr Moseleys coming We proceeded to Coll. Harrison's, where we mett with Thomas Cotton & took his Affidavit From thence we went to Henry Brigg's, where we mett Richd Washington & took his Affidavit from whence we proceeded in our way to Nottoway.

The 22nd We went to the Nottoway Indian Town, where we had appointed Henry Wych to meet Us to give his Deposition, but he did not come. Here we took the Examinations of three Wyanoake Indian women that live here; having given them strict Charge to tell nothing

but the truth. But the Nottoway Indian old men being gone to gather Chinkopens We deferred the taking their Examinacons till our Return, and went to the Nansemond or Potchiak Indians Town. In our way thither we mett one Richard Bratwell who told us that he had entered for about 1000 acres of land with Mr Moseley and had it surveyed upon Maherine River, being persuaded to it by the sd Moseley, who assured him it was in the Carolina Government and that Nottoway River was Wyanoake and he pretended to read a copy of the Carolina Charter which express'd that they were to begin at the North end of Carotuck Inlett, & to go to Weyanoake River or Creek being in 36½ Deg Lat; & that Mr Moseley did take the Latitude of Nottoway River's mouth, & told him & others then present that it agreed, and from thence he run a due West Course to Maharine River, and we afterwards had ye same accot from others. But Mr Moseley on our asking him, denyed that he had ever tried the lattitude of Nottoway River, tho' he owned he had run a line from the mouth of it due West to Maharine River, wch he did by order of their Council.

The 23rd. We took the Examinacons of Great Peter the Nansemond Indian after his Examination he told us, that sometime before, he was sent for to Coll: Pollocks, where were Governor Hyde, Mr Lawson, Coll: Pollock & others, they examined him concerning the Wyanoake Indians and Weyanoke Creek that he gave them the same relation he has given us, and that thereupon Coll. Pollock was angry with him & said, such storys would do the Proprietors a mischief; he answered that he did not come of himself to tell any storys, but was sent for, & if he desired to hear it, he would tell him the truth, but if that would not please him he would not tell him a lye. That Mr Hyde said he was in the right, he said Coll. Pollock urged him very much to drink, but he thought they had a design upon him & would not.

Then we proceeded to the Maherine Indian Town and took their Examinacon. At this place there was one John Beverley, who reckons himself an inhabitant of Carolina, whom we desired to take notice of the manner of our proceeding in taking the Examinations and of the questions asked them. This man had been all up Wicocon Creek & had taken up some land in the Fork of the Creek where the Weyanoake Town stood and when we made the Indians mark out upon the ground, the Creek & Swamps, & the places where the Weyanoake Indians had Corn fields he confessed the Creek Swamps & old fields were as they described them.

The 24th we set out for Mr Moseley's.

The 25th we arrived at Mr Moseleys, who seemed surprized at our coming having as he told us sent a Messenger to excuse his not meeting us at Mr Harrison's and prevent our disappointment, here we stayed this day & the next in expectation of Edward Smethwick & Francis Tomms two witnesses wch Mr Moseley sent for, but they both made excuses that they were not able to come. While we were here Mr Moseley showed us a Letter from Mr Lawson dated from Little River the sixth of September wherein he complains of the shortness of the time for taking the Latitude (tho much later than he had formerly agreed on at our meeting at Wmsburgh his pinnace not being come for him, however he promised to meet or get his Instruments at the place appointed if possible, and recommending to Mr Moseley a brass semi circle that was in that neighborhood in case his did not come—but amongst the rest he writt that he thought it would be of very ill consequence for them to submit to our appointments. This Semi Circle Mr Moseley showed us, but said he did not think fit to carry it to the place appointed to try the Latitude, it being so small that it could not be certainly determined thereby ; for the Radius was but 6 inches, & was not capable of being graduated to less than 10 minutes, wherefore he would depend upon Mr Lawson bringing or sending his Instrument.

The 27th. We proposed to Mr Moseley to go to his Evidences but Smethwick living at a great distance up Morattuck River, & Mr Moseley not desiring us to go thither we went to Francis Tomm's house and took his declarac̄ons being a Quaker, and here we must observe that Mr Moseley acted very disengenuously, for when Thom's answered some of our questions to wch Mr Moseley had made no objection, tho he answered the same things over several times we could not without quarrelling prevail with him to set down the answers in ye same terms that Tomms spoke them, but would be putting other words of a different signification into his mouth, and endeavouring to prevail with him to speak them.

The 28th. We went to James Farlows to take his affidavit but Mr Moseley having given him no notice of our coming, he was gone 12 or 15 mile from home towards Mr Moseleys home, which was directly back again, and Mr Moseley not insisting upon him as a material evidence (for he told us he did not know what he could say, but that having lived in Appomatux he supposed he could say something) We proceeded to Maherine River to meet Mr Beverley & Mr Allen the Surveyors with whom we had appointed to meet Mr Moseley and Mr Lawson the next day at Wicocon or Wyanoake Creek.

The 29th. We went to Wycocon Creek where we mett Mr Moseley but Mr Lawson sent an Excuse & and one to act in his room ; They had no sort of Instrument with them. He took the Latitude at noon with Mr Beverleys Sea Quadrant, the Radius whereof was two foot 3 inches, & well graduated to two Minutes & a good plumb & fine thread. We found the Zenith distance of the sun to be 43deg: 16m the Declination of the Sun we allowed to be 6d: 33m. The Parallax we allowed to be two min: By wch observacon the Latitude appeared to be 36d: 41m. The day being very clear, this observation was taken at the window Earlis about 2 miles up the Creek, there being no firm land nearer but all sunken marsh & Pocoson. Our horses getting from us last night, we could not reach this place till a quarter after eleven, so that we had not time to fix the quadrant to stand by itself, but held it by hand rested by a stake of a fence & standing on another stake: To this Mr Moseley objected that it was lyable to error & not so niee & certain as it ought to be, wherefore we resolved to stay till next day and take another observacon. This day we examined Jn° Smith Wm Bush Rich Booth & Charles Merrit.

The 30th. We took the affidavit of William Hooker, and Mr Moseley took the affidavit of Lewis Williams Then we proceeded again to take the latitude at the same place as yesterday having fixed the quadrant very firm & nicely, & used a horse hair to the plumb instead of the thread, and according to the best of our observation we found the zenith distanee to be 43d: 29m The Declination we allowed to be 6d. 57m the Paralax 2m. By which observation the latitude appeared to be 36d 40m. But some flying clouds intercepting the sun for some few minutes, this observation could not be depended upon to a minute, yet Mr Beverly was positive he was within 4 or 5 minutes at ye utmost, & we verily believe it was not above 5 or 6 minutes betwixt the last fair observation, & the time we found the sun was considerably fallen: but Mr Moseley being dissatisfyed we resolved to stay another day & take a new observation for his satisfaction. This day we went down the Creek by water to the mouth of it, & took ye Courses & Distances of the meanders, & found the Creeks mouth to be 20 Poles to ye southward of the place where we took the observation. Here Chowan River is about a quarter of a mile wide and the Creek near 100 yards. It may not be improper in this place to observe a true reason for Mr Moseleys leaving behind him his Brass Instrument for trying the latitude, that what he was pleased to Give, of its being too small: For he owned he had with the same Instrument taken the latitude of his own house, & afterwards showed us a map

of that part of Carolina wch he had made from his own surveys; by wch he must certainly know what course & distance Weyanoake or Wicocon Creek was from his house, and thereby could tell within 10 minutes in what latitude the Creek lay according to that Instrument But if by bringing that Instrument he should have discovered to us that the said Creek was in the latitude of their charter, or perhaps to the Northward of it (as it appeared to be by our Quadrant) it might have been difficult for him with all the subtlety whereof he is Master, to have found a specious excuse against so plain a Demonstration, whereas by bringing no Instrument of his own he left himself at full liberty to find fault with ours.

The 1st of October was very cloudy, so that we could take no observation, and the sky threatening bad weather, we resolved to stay no longer, but to go back to the Maherine Indians to examine them again in Mr Moseley's presence, & in our way thither we took the examination of John Brown.

The 2nd The Maherine Indians not being at home we proceeded to the Nansemond Indian Town, in order to take the latitude at Nottoway Rivers mouth, & to examine those Indians; but when we came there, most of the Indians were gone abroad to get Chincopens & it being a rainy day we could take no observation.

I (Philip Ludwell) came up Chowan River almost from Wicocon Creek by water with Mr Beverley & set the Courses of the River as we came up, & guessed the distances, by wch we might be enabled to compute how near our observations at the two places agreed, & we found them to agree very near.

At the Nansemond Town the Interpreter told us that when he went down to Wicocon Creek with a Nansemond Indian called Robin Tucker who was sent by the Indians to shew us the Creek on wch the Wyanoakes formerly lived, he called at one William Williams's house, where he met with one Mr Maul (who is ye same person appointed by Mr Lawson to supply his place at our taking the Latitude) and that being sometime in the House and the Indian left without, as soon as he (the Interpreter) came out, the Indian told him, That man (meaning Mr Maul) was not good for he had been (persuading) him to deny that the Weyanoakes had lived on Wicocon Creek, & promised him two bottles of powder and a thousand shott to do it. Upon wch we examined the Indian charging him not to tell a ly of the Gentleman, & he assured us it was very true. This Mr Maul is Mr Lawson's Deputy Surveyor.

The 23rd. We went to the mouth of Nottoway River and in an old field on ye North East side of Chowan just opposite to the Lower side of

Nottoway River, called by the people of Carolina Weyonoake Creek, We cutt off the logs of a small tree, and fixed the Quadrant very nicely to the stumps of it, & the day being very clear we had a good observation. We found the zenith distance to be $^{d}45$: $^{m}6$. the Declination we allowed for that day to be $^{d}8$: $^{m}4$ the Parralax $^{m}2$ by which observation the latitude of the place appeared to be just 37 Deg: But the Gentlemen were not satisfyed yet, tho they stood continually looking on y^{e} Instrument at Mr Beverleys elbow, the pretence for their cavilling here was on this occasion Mr Beverley while he perceived the sun still rising let the Instrument stay a considerable time, and when he thought the sun at the highest, he then moved it, by which means it altered about 10 min: from what it was before, and we did not perceive the sun to rise any more afterwards. Upon which they agreed it was all uncertain, & that this could not be taken for the sun's true latitude; we endeavoured to continue there, & Mr Beverly desired Mr Moseley to try it himself: but they would allow no Instrument to be fitt for taking the Latitude except Mr Lawson's, wch they design to have some time or other, and then they expect we should meet them again. We think the observac̄ons wery exact, but they cavill at every thing, for no other reason (as we can find) but only to delay for we understand Mr Moseley has pursuaded people to take up & has already survey'd almost all the land in dispute near the mouth of the rivers that is of any value, telling them that they need be in no doubt, that Nottoway River lay exactly in the Latitude of their Charter & that he ran a West line from thence to Maherine River and the people on this acco^{t} believe themselves very safe.

That he has himself taken up a great deal of land there, part of wch he has sold & there are yet no patents issued for any of those lands but he hopes to procure them (as we suppose) upon the arrival of a Governor or other settlement of their Government) yet fears he shall not only lose his own land but be forced to refund what the poor people have paid him if it be determined to belong to Virginia before he can obtain patents in Carolina, so that t'is not to be wondered he has fished for so many pretences to obstruct a work upon the Determination whereof his own Interest is like to suffer.

The 4th After a very hard journey we arrived at Nathl Harrison's where we found Mr Moseley's letter of excuse dated Sunday September the 17th with a Copy of Smethwicks Affidavit. The messenger that brought this letter returned to Mr Moseleys while we were there. We asked him when he arrived at Mr Harrisons? he answered on the Friday after we set out, and being asked what made him so long on his

journey as from Sunday to Friday, he answered he did not set out on his Journey till Tuesday, wch was the day we were to meet.

To the Honble Alexander Spotswood Esqre Her Majestys Lieutenant Governor of Virginia—

May it please yor Hon^{r}

Having in the preceding Journal given yor Hon^{r} a full account of our proceedings hitherto in this affair. We humbly beg leave to offer yor Hon^{r} our thoughts upon the state of the Case, which from the best observations we have made appears to us to stand thus.

On the part of Virginia

1st There are two positive Evidences of good fame to the place & name of Weyano-ake Creek.

2nd Several Evidences corroborating the Indians account of the Weyanoak Indians having bought land & lived upon the said Creek and very near it for several years, not long before the Grant of the Carolina Charter: from whence probably the Creek took its name, having no name before that we heard of.

3rd All our Evidences are unanimous as to the name of Nottoway River which with the Indians account, corroborated by English Evidences of the Weyanoaks paying an acknowledgement to the Nottoways (who lived there long before) for living on that River, makes it seem improbable the name of that River should be changed from their living a few years upon it, at least twenty five miles from the mouth, when they lived much longer upon Blackwater without altering the name of it.

4th The Evidences on the part of Virginia are all men of good Credit and agree very well in their relation.

5th The Latitude of Weyanoak or Weycocon Creek appears to agree very near with the Carolina Grant whereas Nottoway River appears to be thirty minutes to the Northward of it.

On the part of Carolina

1st They have no Evidences that speak to the name of Weyanoak or Weycocon Creek at the time of their Grant.

2nd All their Evidence runs to the name of Weyanoak River & not one calls it a Creek & indeed Nottoway River seems to be the main branch of Chowan River, & it is Navigable (if it were cleared) as high as the head of Blackwater Swamp, whereas there Charter runs expressly to Weyanoak Creek & that is called a Creek to this day.

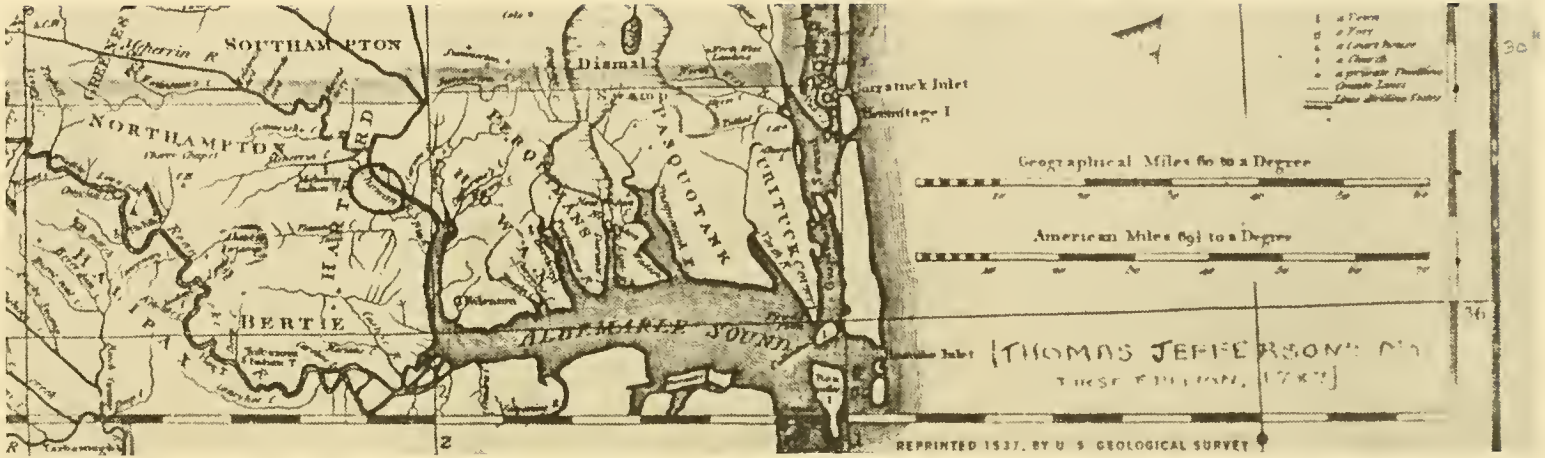
3rd Their Witnesses are all very ignorant men & most of them men of ill fame that have run away from Virginia & some of them concerned in Interest & we plainly discover several of them did not understand what they swore in their Affidavits & we observe that all of them contradict themselves or one another.

Upon Consideration of the whole Case as the Circumstances have appeared to be in the whole Course of our Progress, we are clearly convinced that the place call'd Weyeocon is the place called Weyanoak Creek in the Carolina Charter, & from the backwardness of the Carolina Commrs to meet us & to bring this business to a conclusion, together with the frivolous objections they make upon all occasions to retard our proceedings, & some other Observations we have made, which are too tedious to insert here, we cannot choose but believe that they or one of them at least is convinced of this in his own Judgt (if he would be so ingenuous as to own it) but either for private interest or some other reason to themselves best known they hope to put off the Decision for some time.

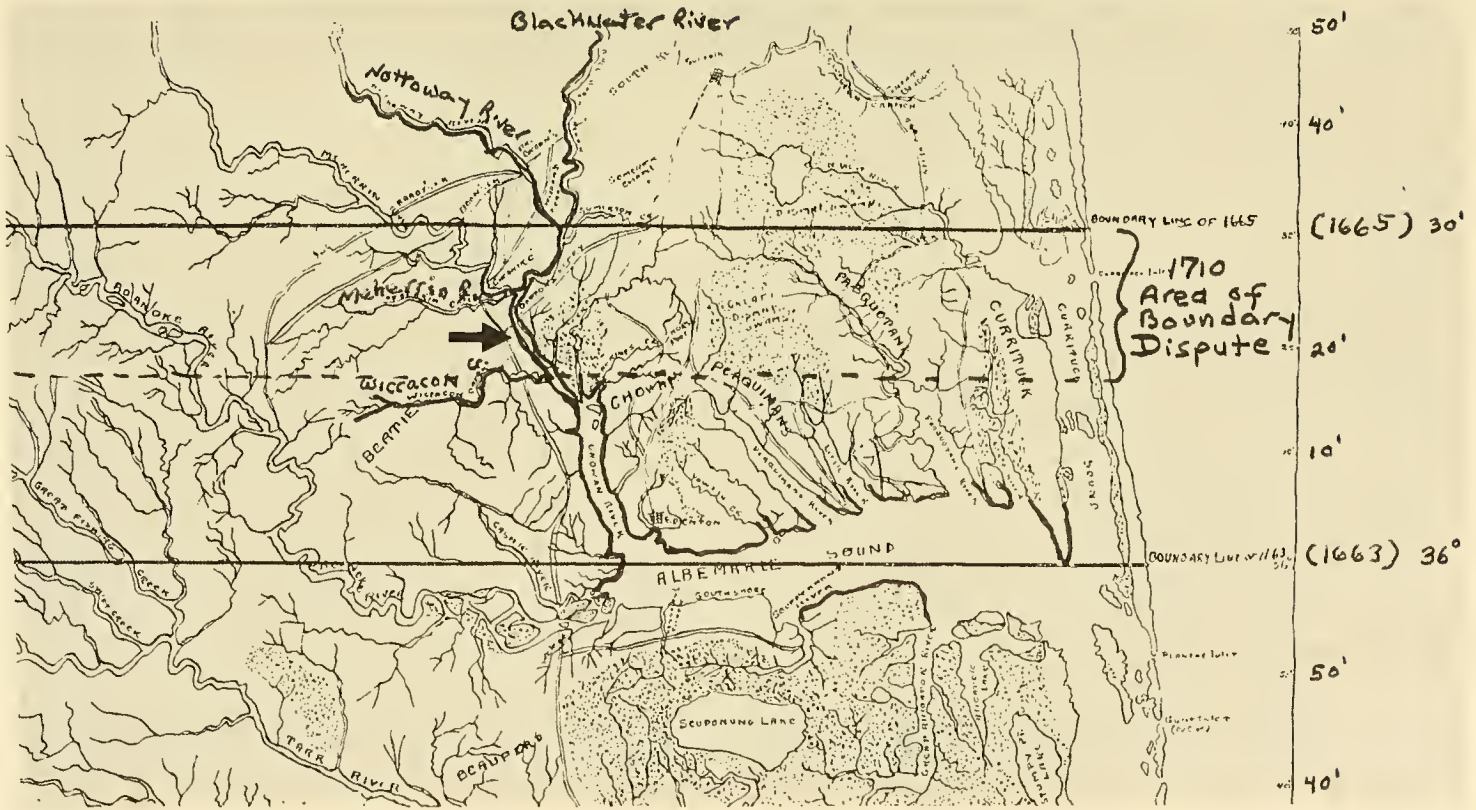
Signed. PHILIP LUDWELL.
N. HARRISON.

Vera Copia
Wil: Robertson St. Com.

THOMAS JEFFERSON MAP
First Edition 1787
(Edited)



Map Showing Boundaries of the 1663 and 1665 Carolina Charters



Map Insert in Introduction, William K. Boyd, William Byrd's Histories of the Dividing Line Betwixt Virginia and North Carolina, Historical Commission, Raliegh, 1929.

Although the Merritt to Moseley deposition of 1707 predates their (Charles & Ellinor's) land purchase by 48 days in Chowan County, North Carolina, the presence of John Smith, and Richard Bell on both the 1707 Moseley and 1710 Ludwell-Harrison reports would lend one to question the accuracy of the latter's findings. We have record of the 1707 deed in Chowan County. How could Charles and family be also with the same neighbors over 10 miles north of the Virginia line later in 1710? Further, if you will turn back to the bottom of page 743 and the top of page 744 in the Ludwell-Harrison report, notice that they report the mouth of the Nottoway River to be 37° latitude. Both the Nottoway and Blackwater branch from the Chowan River near the point close to the Virginia - North Carolina line. If you check your road map, you will discover this location to actually be 36° 30" (+/-) latitude. This is a considerable distance south from 37° latitude which really crosses the mouth of the James River just north of Norfolk, Virginia.

In brief, and hopefully to clarify the above, the 1665 grant (see preceding map following with arrow pointing to homestead of Charles Merritt) described the bounds separating Virginia and North Carolina. One of the original reference points in latitude included Weyanoke Creek. At the time, everyone knew this location, but as the years passed from 1665 to 1710, the creek lost its name with some Virginians calling it Wiccacon Creek, a tributary of the Chowan River (see charters map dotted line on page 37), and North Carolinians calling it the Nottoway River about 15 miles north of Wiccocon Creek or River as it is called today. The problem was to determine which was truly the original Weyanoke Creek. Many colonists, including Charles and Ellinor Merritt, had purchased acreage in the 15 mile wide east-west corridor. Since yearly taxes for either Virginia or North Carolina were involved among other considerations, you can see the urgency in solving the dilemma. Each side had a stake in the outcome and questions of individual credibility were bound to surface as they did in the depositions. Certainly Edward Moseley, a man of some prominence, was roundly criticized by Harrison and Ludwell, but what about Charles Merritt? Here was a farmer and ex-overseer of limited financial means and certainly no political importance who had left Virginia for whatever reason and now comes to our attention through his deposition. He had gone over to the "other side" as it were, and no longer a Virginian. Therefore, is it possible that Benjamin Harrison took the opportunity to cast a shadow on Charles' January 1707 deposition by including a questionable anecdote against him (Charles) in his own November 1707 deposition? After all, Harrison's inclusion of Charles Merritt really added absolutely nothing to the value of his own deposition regarding the boundary situation. Why would he unexpectedly include a completely unrelated narrative except to discredit Charles' earlier deposition? On the same page (49) Harrison also says that the Nottaway, Meherrin and

Nansmond Indians told him that the "Wayoaks went to the southward of Meherrin River and setled in a fork between the two great swamps which are the head Branches of a small River that empties into Chowan, and that (they say) is Waynoak River, and that they neither know or ever heard of any other Waynoak River but that."

Of course, the above quote is completely incorrect as reflected by today's Virginia - North Carolina boundary. The above described location is south of Charles' homestead on the Chowan River and refers to the Wiccacon River (see Carolina Charters Map by William Byrd). Did the Indians then, "actually" say what was reported above? Since there is considerable room for doubt here, one might also easily suspect Harrison's observations regarding Charles Merritt in the same deposition.

Further, in a more global sense, the opulent landed gentry of Virginia may very well have looked with suspicion and some disdain upon anyone leaving for the relative unknown dangers to the south and west as evidenced in the journal's concluding comments to the commissioners reprinted earlier (see pages 745-746 in Colonial Records on pages 34 and 35).

With these continuing perspectives we can now better envision and feel the tenor of circumstances surrounding Charles Merritt as he settled with his wife and children on the shores of Deep Creek and Chowan River in North Carolina.

Chapter 3

Bibliography

1. Wiliam S. Saunders, Editor, The Colonial Records of North Carolina, Vol. 1, 1662-1712, P. M. Hale, Printer to the State, Raleigh, 1886, p. 660.

2. Ibid., pp. 61-662.

3. Philip Alexander Bruce, The Virginia Magazine of History and Biography, Vol. 5, House of the Society, Richmond, VA, 1898, pp. 47-50.

4. William Saunders, Editor, The Colonial Records of North Carolina, Vol. 4, 1734-1752, P. M. Hale, Printer to the State, Raleigh, 1886, pp. 735-746

Chapter 4

Charles and Ellinor in North Carolina

While our primary knowledge of Charles Merritt's whereabouts has to this point stemmed largely from legal depositions and the like, we now must rely on the more traditional sources including recorded deeds, wills, maps, and so forth. Since "by our deeds we are known" (pun intended), the known land transactions are next presented in table format for a clearer overview rather than discuss them from a narrative standpoint. Table 2 (page 42) shows the deeds of record in North Carolina before Charles' demise in 1718. Transactions are presented chronologically in the left column followed by the amount of acreage involved, who bought and sold, price paid, counties where recorded, and a brief property description.

Although not completely satisfied with the metes and bounds descriptions found in copies of the original deeds, we have no other record of a Deep Creek connecting with the Chowan River. Aside from examining maps which include the Chowan River, our acceptance of the Deep Creek location which is shaded on the following Hertford County map is predicated on several findings while on a recent visit to the area. The purpose of the trip was in part prompted by a desire to actually pinpoint Charles and Ellinor's 1707 homestead. A hot tip from a thoughtful Peggy Jones, Registrar of Deeds in Windsor, North Carolina and a quick trip to the Tranportation Department in Ahoskie, North Carolina, resulted in securing copies of several available county maps including Hertford (formed 1754 from Bertie and Chowan) which showed Deep Creek, right where it was supposed to be on the southside of an east-west length of the Chowan River (accent on the second syllable for "Chowan" if you please; just like Bertie!). Please understand that North Carolina is replete with "Deep Creeks" as William S. Powell reveals in The North Carolina Gazeteer. (1) There are twenty-one Deep Creek locations recognized statewide today. Only one of these is recorded as flowing into the Chowan River. (2) Powell also lists a "Deep Swamp Branch" further to the southeast which similarly flows northeast to the Chowan, but there are no early period "Deep Swamp Branch" references indexed in Mary Bell's Colonial Bertie County North Carolina Deed Books A-H. (3) Further checking of "Deep Branch" page listings also proved fruitless in an attempt to challenge

TABLE 2
Charles and Ellinor Merritts North Carolina Deeds of Record by County

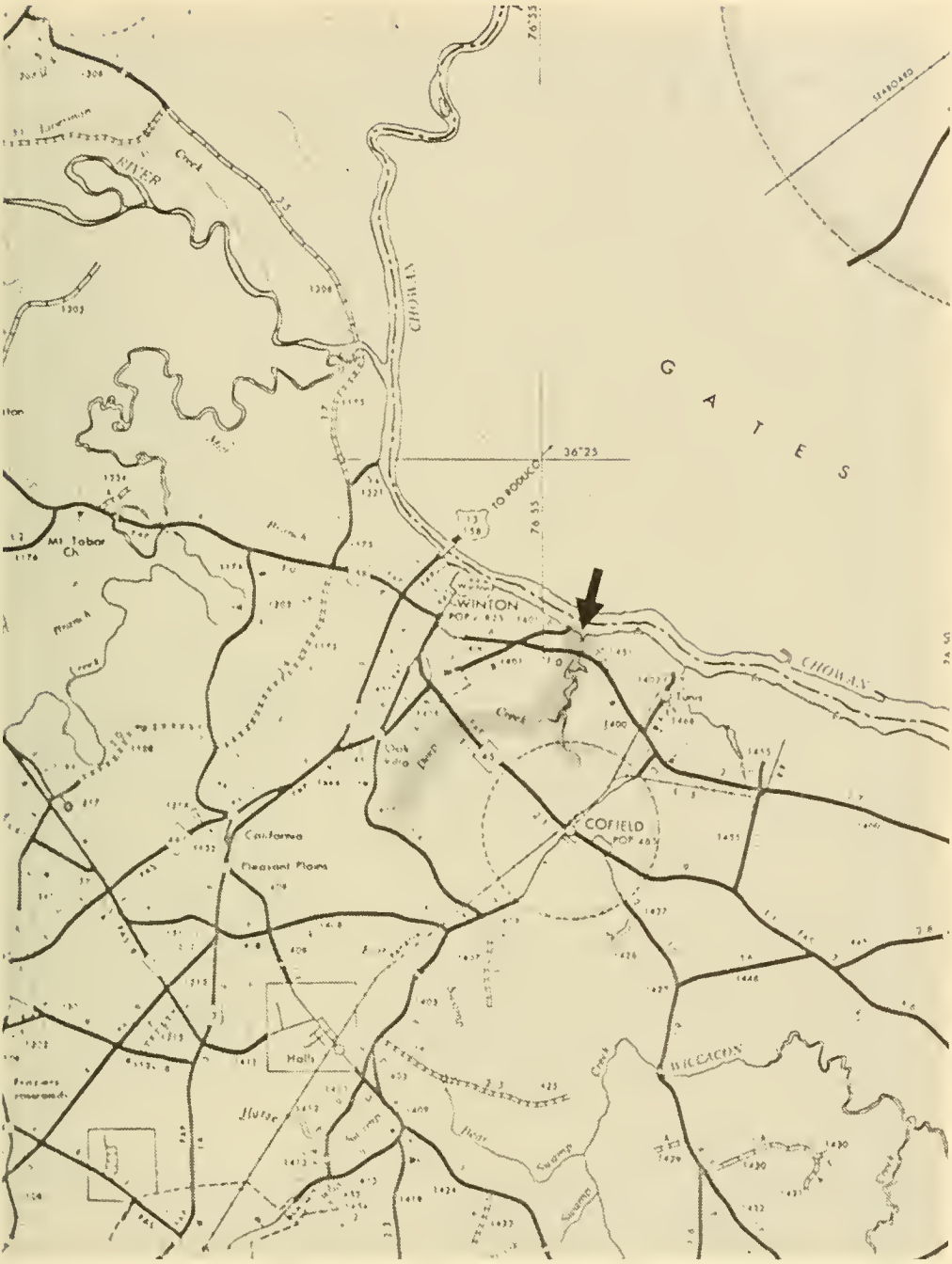
Date	Acreage	Grantor - Grantee	Price	Chowan County Register of Deeds	Bertie County Deeds	Location
0 March 1707	300 AC	Peter Evans to Charles and Elliner Merritt	Sundry Causes and Consider-ations	Book W #1 #241, p. 112		(bought) "half of ...600 acres beginning at ye mouth of Deep Creek and running up Chawanock River one hundred sixty perches*, etc.... all houses...gardens, orchards, and all other appurtinances..." *Perch = 5½ yards - a rod.
6 April 1715	280 AC	Charles Merritt and Ellinor and Peter Evins to Richard Barfield	30 pounds Sterling	Book B #1 #667, p. 74 #668, p. 75	Book A (1720-1725) P. 385 P. 386	(sold)"two hundred & eighty acres...on ye So. side of Chowan River...beginning at the mouth of...Deep Branch on ye NW side of Deep Creek...Bordering John Fierybent and James Peak)
6 April 1715	130 AC	Charles Merritt and Ellinor to James Peak	50 pounds Sterling	Book B #1 #669, p. 77 #670, pp. 77-78	Book B p. 111	(sold) "One hundred and thirty acres on ye So Side of Chowan River...beginning at ye mouth of...Deep Branch on ye NW side of Deep Creek ...to a pine on ye hill side...et cetera" (Bordering Fierybent's line)
9 April 1715	100 AC	Peter Evins to Charles Merritt	20 pounds Sterling	Book B #1 #686, p. 96		(bought) "about one hundred acres...lying and being on ye Catawatske Meadows on ye So. side of ye sd. Meadow on ye So.side of Chowan River." (bordering Peter Evins)

this location just east of Winton, North Carolina. You will notice in the preceding (Table 2) that "Deep Branch" referred to in Merritt to Barfield and Merritt to Peake also include references to Deep Creek in the same description. One term is connected to the other in both parcels.

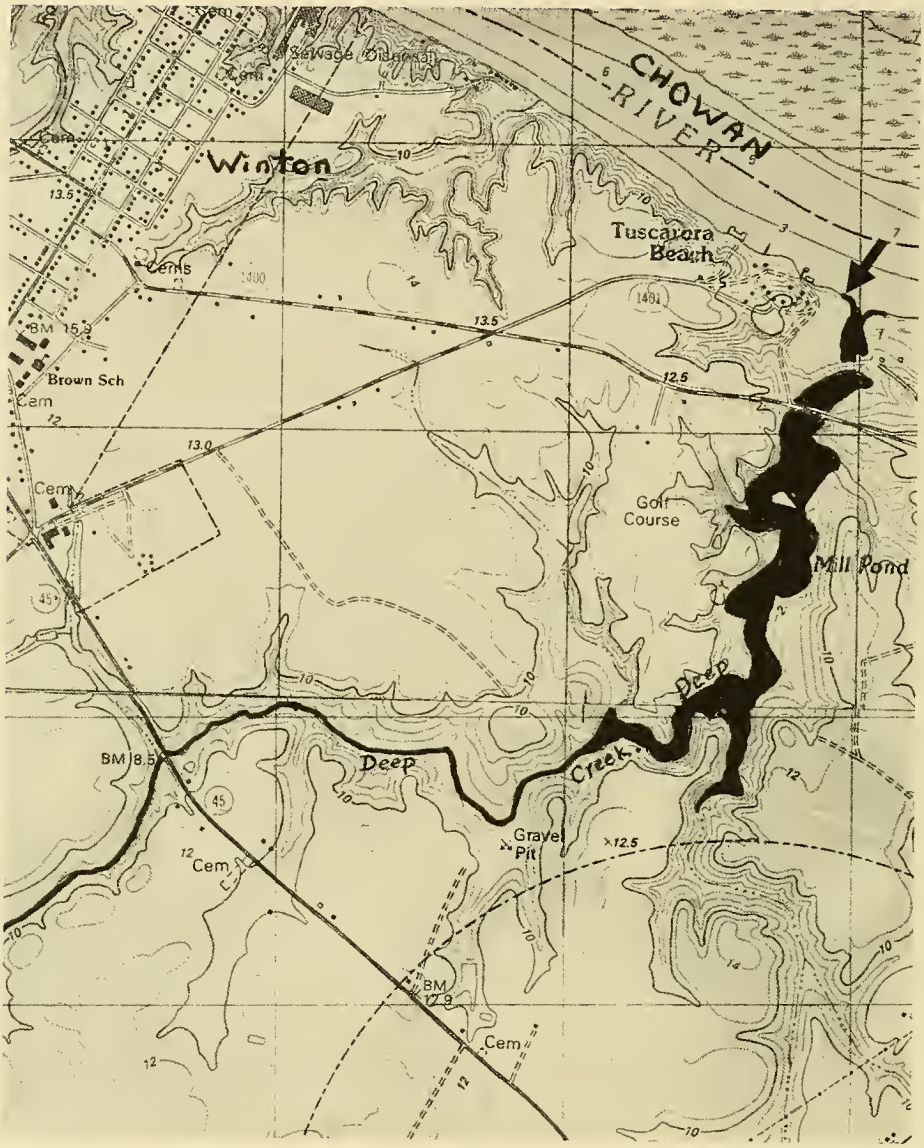
We can now turn to the visuals represented by the following three maps showing where Charles and family lived in 1707. Since we know that Charles and Ellinor sold 280 acres in 1715 to Richard Barfield, the name "Barfields" (circled) subsequently appears on the first map below drawn by Moseley in 1733. Notice the creek within the circle under his name to the southeast and compare the waterway configuration with the current (shaded) Hertford County map which follows. The Moseley map in all probability predates construction of the existing dam which caused the pond shown on the county map. Still, you can see the same creek pattern on both maps. The third visual, an aerial photo of marginal quality further magnifies the one-time creek. You can see the cypress trees sprinkled within the flooded pond area.

Moseley Map of North Carolina
1733 (Edited)

Hertford County, North Carolina
(Edited)

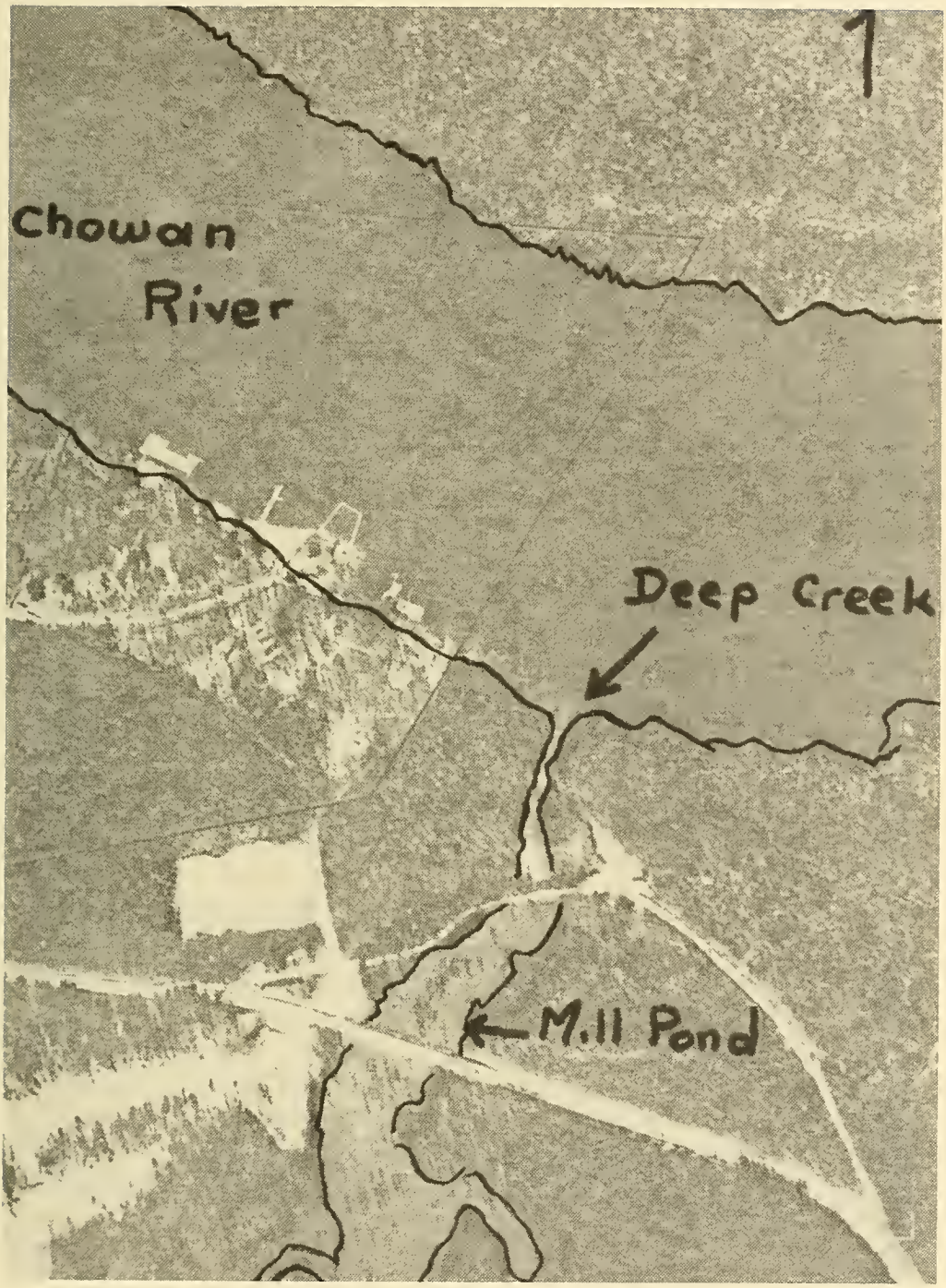


Deep Creek (Mill Pond) as Found on
Winton and Ahoskia Quadrangles
(Edited)



Source: Combined exerpts from Winton, N.C. and Ahoskie Quadrangles (1:24,000) Department of the Interior, U.S. Geological Survey, 1982.

Aerial Photo of Deep Creek
Near Which Charles Merritt
and Family Lived
(Possibly west bank near mouth)



I'm sure Charles and family would recognize the inlet of Deep Creek with free access to the Chowan River, but the pond behind the dam would be another matter. Fortunately, much of the area is currently protected by environmental interests and remains quite beautiful and serene.

After Charles sold the 130 acres to James Peake, a subsequent title search revealed his (Peake's) sale in 1726 to William Daniel who in turn sold to Jonathan Gilbert in 1734. Gilbert, a millwright by profession sold the same 130 acres to Thomas Penny "(Except a convenient Road to be laid out by the Partie to the Deed to a saw or other mill when erected by said Jonathan Gilbert on Deep Creek and also the liberty to make a convenient landing on the neat point of land below where the Sd. Thos. Penny now dwells..."). (4) This explains the origin of the name "Mill Pond" today at this location.

Everyone I talked to while jumping from one county government office to the next in Winton was most helpful in offering suggestions and comments. We were even able to resurrect "Catawatske" (deed Evans to Merritt on 19 Apr. 1715). Today the spelling has changed to "Cutawiskie" and refers to a watershed area west of Deep Creek. The two areas are in relatiavely close proximity, but do not connect. *(See Moseley 1733 map).

In brief, then, we find Charles and family have immigrated from Virginia, purchased 300 acres and lived for 8 years (1707-1715) on Deep Creek. They then sold their land in two parcels, the larger of which was in part owned by Peter Evins (Evans). Charles and Ellinor must have picked up some additional acreage somewhere for the sum of 280 acres and 130 acres exceed the 300 acres he originally purchased in 1707. Otherwise, Charles and Ellinor had the necessary funds to buy another 100 acre parcel. It is interesting to see Ellinor's active participation in these transactions for she was hardly a passive observer in her husband's land dealings.

Although we have no record of Charles' employment at this time, whether self or otherwise, we can only assume by the absence of any other legal proceedings that his final years as husband and father of seven now grown children progressed "normally" for that

Note:* Samuel Merritt, wife Mary and daughters (?) Ann, Mary and Elizabeth arrived in Chowan during Charles' homesteading near Chowan River and Deep Creek. You will find numerous references to him and wife Mary in Chowan Deed Books B #1 and F especially in regards to the east side of Mill Swamp area. We have yet to find his will and his kinship to Charles Merritt remains uncertain.

time and era. By 1715 Charles had reached the then ripe old age of sixty-three and presumedly remained "on ye Catawatske Meadows on ye S^{o} side of ye sd. Meadow on ye S^{o} side of Chowan River...(5)" until his death in 1718. He led a full life and it's a shame we don't have more stories regarding, for instance, his earlier escapades with the Weyanoak Indians or know more about him personally.

We like answers to questions, but Charles' life has left us with more questions than answers. Regardless, we are grateful for what we do know about him.

Declining health most have prompted the writing of his will dated 6 April 1718, for six months later on 21 October 1718, the "last will and testament of Chas. Merritt (was) proved by the oath of Peter Evans."(6) He was survived by his wife Ellinor of whom we sadly have no further records; sons Charles, Nathaniel, William and John, and daughters Ann, Sarah and Hardy. A copy of his original will preserved in the North Carolina Archives, Raleigh, is obtainable but you will find it barely legible largely due to the passage of time. Fortunately the critical names and dates are discernable and our interpretation complete with errors, I'm sure, is presented below.

Lines are numbered for reference only.

Will of Charles Merritt

line

1 shall
2 of (our?) land
3 now know ye I Charles Merit
4 my of this life my
5 christian
6 My soul to god hopeing for a joyful(?)
7 my at ye last day next that my
8 pay for my estate
g
10 Item 1 give and unto my son charles a cow(s) and
11 heifer
12 Item 1 give unto my son nathenell cow and calf
13 and a year old heifer
14 Item 1 give and unto my son william a cow and calf
15 Item 1 give and unto my daughter Ann a
16 Item 1 give and (bequeath?) unto my daughter Sarah a year
old (heifer?)
17 Item 1 give an unto my daughter Hardy a cow calf
and
18 Item 1 give and bequith (?) unto my son John (fat?) sheep

19 Lastly I give unto my loving wife all the rest of my
personal estate
20 Making her my and only my land and plantation
21 after her (death?) to my son charles and this l to my
last
22 will and testament and by the and all other wills
23 Whatsoever witness my hand the 6th Day of Aprel
24 our Lord god one thousand seven hundred and eighteen
25 (scratched word)
26 and my his

27 Vi (?) CHARLES MERET

28 James Bryant (?) mark
29 his Chowan October 21st 1718
30 Open Court
31 Philip E. (Evins) ?
32 mark
33

Charles' legatees above include in order:
line 10 my son Charles
line 12 my son Nathenell
line 14 my son William
line 15 my Daughter Ann
line 16 my Daughter Sarah
line 17 my Daughter Hardy
line 18 my son John
line 19 my loving wife " (Eliner, Ellinar or Eleanor as spelled commonly today)

Chapter 4

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4. Ibid. Colonial Bertie County North Carolina Deed Books A-H 1720-1757, pp. 100, 113, 154, and 157.

5. Deed Book B-1, Register of Deeds Office Bertie County, N.C., p. 96.

6. Deed Book B, Register of Deeds Office Chowan County, N.C., pp. 43-44.

Chapter 5

Children of Charles and Ellinor Merritt

The rapid formation of new counties in North Carolina during the 1700's presents a particular challenge for anyone tracking family members. Consider the below county formations where Charles and Ellinor's children and grandchildren lived.

Bertie formed from Chowan 1722
Edgecombe formed from Bertie 1732
Halifax formed from Edgecombe 1754
Hertford formed from Bertia/Chowan 1754
Nash formed from Edgecombe 1777 (1)

True, Merritt descendents found their way into other locations during the 1700 era but we'll concentrate on the above, especially Edgecombe which offers us the most information in-so-far as where the children of Charles and Ellinor actually lived.

Before we begin, a final word concerning Ellinor Merritt. Please turn again to Chapter 4 and read Charles' will, lines 19 to 21. Notice that Charles states that his land is to go to Charles (Jr.) when his wife dies. This, of course, is the 100 acres on "Catawatske Meadow" he purchased in 1715, three years before his death.

Hofmann's excellent abstracting again comes to our aid in showing us that on 15 January 1719, "...Charles Merritt (Jr.) planter (sold) to James Wood..." 20 ₶ good and lawfull Money of N.C. 150 acres more or less on the south side of Catawhiskey Marsh, joining Petter Evins...".(2) This means that less than 3 months following Charles' probate, Charles Jr., the owner, sells. Since the 100 acres was for Ellinor first, either she legally turned the land over to him or she died shortly after her husband Charles; allowing Charles Jr. to inherit and legally sell the parcel. Regretably, we have no other record of her and can only speculate whether or not she died in the interim. We know of no record showing that Charles Jr. received the land in any other way but naturally by descent.

Now, since Charles Jr. has been introduced, we'll explore his activities first and follow in order with Nathaniel, William, John, and sisters Ann, Sarah and Hardy.

North Carolina (Mouzon, 1775)

Key:
(1) Deep Creek
(2) Beech Swamp
(3) Fishing Creek
(4) Cahukey-Kahukey-Kehukey Creek
(5) Roanoke River
(6) Coniyconary Beaver Dam/Swamp
Coniconaro (a) (-iah)
(7) Chowan River
(8) Charles and Ellinor Merritt's homestead
(9) Beaver Dam

Charles Merritt (Jr.)

The above deed of grantor Charles Jr. reveals that he was now a planter by profession (tobacco?) and that he received 20 pounds which, you will recall, was the same price his father paid.

Charles Jr. evidently had no intention of remaining there for our next contact with him shows his removal farther inland, crossing the Roanoke River and settling in an area north of Deep Creek (another one) flanked to the northeast by Kehukie Creek and to the west by Beach Swamp. This is approximately half way between Halifax and Tarboro, North Carolina.

A quick overview of Charles Jr.'s transactions shows his presence in deeds with primary location along the Moratock River and Deep Creek. The Moratuc Indians once lived on the Roanoke River and some of the early deeds reflect this. To avoid confusion, please understand that the Roanoke River and "Moratock River" are the same.

1745 Hopper to Merritt - Charles Jr. bought an unknown amount of acreage on south side of Moratuck River and north side of Deep Creek joining mouth of a branch and the creek. (3)

1748 Merritt to Lamon - Charles Jr. sold 240 acres on southside of Moratuck River and north side of Deep Creek joining mouth of a branch on the creek. (This is probably the same tract as purchased in 1745. Osborne Jeffreys, a later Merritt relation, and Robert Merritt (possible son of Charles Jr.? - otherwise kinship unknown) were among the witnesses. (4)

What happened to Charles Jr. following this time in uncertain, but he must have remained in the environs for a 1755 deed (Bynum to Smith) mentions land "...joining Charles Merit..." on Deep Creek.(5) The above three transactions complete any reference to land sales involving Charles Jr. in Edgecombe through 1758. The only other record of Charles Jr. found in Edgecombe is when he served on a 1739-1740 jury list (6) and as a witness of two other deeds.

We lose track of Charles Jr. following 1755 and his descendents, if any, are unknown without will, estate or Bible records for evidence. Nevertheless, our flame still flickers for Charles

Jr. in the discovery of a Crown grant to a Charles Merrit for 150 acres in Duplin County six years later in 1761. For the record, this parcel was located on "...Stewart Creek, joining a branch...". (7) There is a further reference to Charles Merrit owning land in Duplin County (1763 Crown deed to Joseph Bowan - area of Miller's Swamp). (8) Question: Was the Charles of Duplin County the same Charles Merritt, Jr. of Edgecombe County?

Nathaniel Merritt

Nathaniel and Charles Jr. probably lived fairly close to one another since the land aquisitions both included deed locations on the south side of the Morattock River (you seldom see it spelled twice in the same way in other deeds!) Nathaniel is also identified as a planter on a deed dated 12 Sept. 1720 in his purchase of 100 acres from Robert Long on "...ye south side of Morattock River on the Plumb Tree Swamp...". (9)

The following June in 1721, Nathaniel sold half or fifty acres to Ralph Mason (10) and two years later sold the remaining 50 acres to Joseph Bullard "...Nov. 10, 1723...10 pcls. for 50A on SS Roanoaky River on Plumbree Island...". (11) Notice the change in river name from Morattock to Roanoaky with Plumbtree Island/Swamp remaining. Our conclusions that he is no longer a land owner are premature, for there he is again in a later 1732 deed (Mulky to Mulky) for land "...on the south side of Moratuck River, joining the Marsh gut Meadows in Plumbtree Island, the Goose Pond, Robert Long, and Nathaniel Merritt...". (12)

A 1739 deed (Mulky to Harvey) again identifies the south side Morattuck, Plumbtree Island, Goose Pond, and Plumbtree Swamp region described by Jonathan Mulky as transferred "...to my father John Mulky who died intestate and the tract descended to me; the rest of the 210 acres was transferred by Long to Nathaniel Merrit and from the sd. Merritt to Joseph Bullard and from the sd. Bullard to the sd. Jonathan Mulky...". (13)

In any case, Nathaniel Jr. remained in this locality and three years after his father's death (1756) sold 268 acres "on the south side of Moratock River...". (14) Edgecombe deeds show a high energy level for Nathaniel Jr. up to the year of the above sale.

Nathaniel Senior's will, a copy of which can be ordered from the North Carolina State Archives in Raleigh is presented in part below.

Will of Nathaniel Merritt

(The f's changed to s's)

line numbers are for reference only

In the Name of god Amen. This tenth day of April
in the yeare of our Lord one thousand seven hundred and
thirty five, I Nathinell Merit of Bartie precinct
in Ronoke (?) in North Carolina being sick and weake yet
in sound and perfect sence and Remembrance. Thanks
be to almight god for the Same, and Calling to Remembrance
the Uncertain State of the sitory Life and
death when it shall
constitute publish and declare this
My Last Will and testament in Manner following this
Only to be taken for my last will and testament and
no other and first Being Sorry from my heart for
my sins past Humbly desireing forgiveness for ye same.
I give and Comitt my Soul unto allmity God my Savour
and Redemer in whom and by ye Merits of Jesus Christ
and beleive assuredly to be Saved and to have
and forgiveness of all my sins
with My Body at the general day of Resurrec(tion)?
Shall Rise again with my Body and through ye Merits
of Christ Death and pasion and Inherit ye Kingdom
of heaven prepared for his Elect and by body after
my Decease to be burried in Christian burial at ye
Descretion of my Executors hereafter Named,
I do appoint my loving wife _____(correction line)_____
Mary Merit whole and soul exectrix of this my last
Will and Testament (in)? Manner following
Item (I) give to my son Nathienell Meritt the planation to
Live on at ye age of twenty
Item I give to Benjamin Meritt my negro Dick to be
Delivered to him at ye age of twenty.
Item I give to my Son Efrum five (thousand (?) lbs of drest
pork to be delivered to him at ye age of twenty
Item I give to my da ter Sarah Meritt five cows and
calves to be delivered to hur at ye age of eighteen
Item I give to my Da ter Mary Meritt five cows
and calves to be delivered toher at ye age
of Eighteen or day of Mariage
Item I give to Sarah Merit on years
two (?) - pots three puter Dishes to be
(delivered) at ye age Eighteen or day of Mariage
Item I give to my Dauter Mary Meritt (my)
bed and furniture to be paid to her at ye age
of Eighteen or Day of Marriage
I doe hereby appoint my loving wife Mary
Merit whole and soul executrix of this

46. my last will and testament in witness
47. I have set my hand and seal His

Signed Sealed will Nathi^{n}ell Meritt
in (witness) of Mark

(Frances) Weldon
Henry Jones Jural

(Will probated during Feb court, 173(5)?)

In brief, Nathaniel's legatees were by line:

25. Mary Merit (wife)
27. Nathinell Meritt
29. Benjamin Meritt
31. Efrum
33. Sarah Meritt
35. Mary Meritt

William Merritt

William, like his brothers, eventually relocated on the southwest side of the Roanoke River and settled in the environs of Deep Creek on Kehukie Swamp where he started to accumulate acreage. There is record of a 19 January 1734 purchase from Davie Hopper for 320 acres on "...southside of Roanoke River and the westerly side of Deep Creek...". (15) This was followed a year later by two "back to back" grants from the Crown. (16) The first, dated 1 November 1735, included 100 acres in Edgecombe on both sides of "Kahukey Swamp" and the second, several days later on 4 November 1735 for another 100 acres on "Cahukey Swamp." The two parcels probably were joining, but this is conjecture. His acquisition must have been satisfying for he held on to them fifteen years until he sold 100 acres to William Barrow on the north side of "Kehukey Swamp...a grant to the sd. Merritt 4 Nov. 1735..." this was in 1750. (17) The following year on 19 October 1751, William purchased "...140 acres on the north side of Beach swamp..." from Matthew Raiford, Sr. (18) As you can see by the regional map presented earlier in the Chapter, Beach Swamp lies farther west. William's interest in the area obviously continued for in 1752 he bought another 100 acres which probably joined the above from Matthew Raiford. (19)

Both of these tracts (140 and 100 acres) were later sold to Richard Merritt, kinship uncertain, on 18 Feb. 1756 for 50 pounds. We know William was a planter by trade.

Since we have as yet to uncover a will for William, like his brother Charles Jr., our knowledge of his descendents is similarly uncertain. Yet clues appear and leave us with more questions.

For example, a notation (source unknown) of William Jr's. will being probated during August Court, 1748 and an inventory by William Merrit, Sr. the son left a widow, Elizabeth. William Jr. also left a sum of money to Charles Merritt, who could have been his brother or son (?). If this is true, then did William die intestate with descendents?

John Merritt

John, similarly relocated south of the Roanoke River presumedly following his father's death in 1718. His first and only recorded venture in real estate was a purchase from "...John Lane of Edge. Co., gentleman, to John Merrit of Edge. Co. yoeman, 20 May 1755, 18 pounds current money of Va. 120 acres on the north side of Beach Swamp, joining Philip Raford and the swamp...". (20)

Again, please note Matthew Raifords sale to William Merritt (above). Both Philip and Matthew undoubtedly lived in close proximity as did the Merritt brothers. Another interesting point has to do with John Lane's "gentleman" and John Merrit's "yoeman" titles recorded in the deed. Webster defines "yeoman" as "a man possessed of small estate in land; a gentleman farmer; and freeholder of a class below to gentry who worked his own land" and " 4. One not advanced to the rank of gentleman." (21) Clearly, sensitivity to gentility was not abandoned by our forefathers, even while confronting the sometimes harsh realities of frontier life.

We regretably know little more about John except his marriage to Mary _____(surname unknown), the names of his children, and his earlier witness of a deed to Thomas Merritt (his son?) on 3 July 1948 for 250 acres on the south side of "Connaconary Swamp, joining Thomas Merritt, Taylor and the Swamp...". (22) You can see by again referring to your map at the beginning of this chapter that Conoconaro Swamp is slightly north of Beech/Beach Swamp and Kehukie Swamp areas identified in other family deeds aforementioned.

Having stated the above, now consider a differing view regarding the purchase by John Merritt. Is it possible or even probable that the above deed from "gentleman" Lane to "yoeman" Merritt is really to John Jr.? Does it seem unlikely that son Thomas Merritt would purchase land seven years earlier in time than his father (1755-1745)? Please accept these as only suppositions and you are free to accept what you will or offer other explanations.

In any case, John Merritt, son of Charles died a land owner as revealed by his will below which can be ordered from the North Carolina State Archieves in Raleigh.

Will of John Merritt

("s" substituted for "f")

line numbers are for reference only

Line

In the name of god amen The Thirteenth Day of January in
the yeare of our Lord one thousand seven hundred and fifty seven
I John Merett of the County of Edgecomb in the province of
North Carolina Planter being very sick and weake of body but as
perfect sound minde and memory thanks be to God therefore calling
to minde the Mortallete of my body and knowing tis appointed for
all men once to Die Do Make and ordaine this my last and only
will and testament that is to say first and my
Soul to God who gave it and my body to the grave Not Doubting
but shall Receive the same at the General Resurection.
and on touching such Estate whom with it hath please
God to Bles Me in this life I give Bequeath in mannered form
following
Imprimer (?) I give and bequeath unto my Dearly beloved wife
Mary Merrett all my lands & tenements Goods & Chattels During
the Natural Life of hur & afer hur Decease to be
Eqully Devided among my five children to witt Pegee Maryed
to John Stone Thomas Merrett & John Merrett & Amee
maried (scratch out) to William Hanly & Betty Merrett
them theire heirs & asigns for ever_____(line)
it my will and pleasure that my wife pay to hur son Thomas
Merritt five shilings of any
he may have as till hur Decease & then to be Devided
as above described _____(line)
and Lastly I appointe my Loving Wife to be Excutrix
of this my Last Will and Testament
Signed Seald Published
and Pronounced to be My
Last Will & Testement John Merritt
presents of
Jno Haywood
Thomas. Merrett

Mary hur + mark Merrett

In brief, John's legatees were, in order by line:

(1) "Mary Merrett
(17) Pegee Maryed to John Stone
(18) Thomas Merrett
(18) John Merrett
(19) Amee maried to William Hanly
(19) Betty Merrett"

Ann, Sarah and Hardy

Our only record of Charles and Ellinor's three daughters is with Ann who witnessed a deed on 15 September 1732 (Davie Hopper to Richard Killingsworth)"...for 200 acres on the south side of Moratock River...". (23) There are two interesting clues here. First, the location on "south side Moratock," (Roanoke River) is the same general area as her brothers acreage parcels. In other words, she has not remained where her father earlier lived south of the Chowan River. Secondly, Davie Hopper sold 320 acres on south side of the Roanoke River and west side of Deep Creek to her brother William on 19 January 1733/4. Since she is not married, could she be living with brother William at this time?

We find in summary that Charles and Ellinor Merritt's children chose to move southwestward soon after their father's death in 1718. Certainly Charles Jr. wasted little time in finding a buyer for the 100 acres he fell heir to and they all subsequently settled in fairly close proximity near what are today the towns of Enfield, Crowels, and Tillery, North Carolina. Beach Swamp runs north of Enfield and Fishing Creek to the south. The town of Scotland Neck borders the northeast side of Deep Creek and is in near proximity to what the Mouson 1775 map and the Price and Strother map identify as Kehukee Creek/Swamp area. If you were to draw a line between Halifax and Tarboro, N.C., the children's area of homestead would be approximately due east of the center point. Of course, this area falls in what is today the southeastern half of Halifax County, North Carolina which is bordered by the Roanoke River on the north and east. The Conoconare Swamp location found on Colonial maps is within 10 miles southeast of Halifax and about 8 miles northwest of Deep Creek.

Only sons Nathaniel and John have left us descendents to follow through their wills. Yet we see contemporaries of Nathaniel's and John's children making themselves known in the neighborhood. Are any of them children of Charles Jr. or William? For example, in 1756 Richard Merritt bought land from William Merritt "on the north side of Bush Swamp (24) land purchased by the sd. William & Mathew Raiford 19 Oct 1751 (2 tracts 100 and 140 acres previously mentioned). Was Richard the son of William since he does not appear in either the will of

Nathaniel or John? A Richard Merritt is also found in Halifax records dating from 1758 as abstracted by Hoffman along with over 25 other Merritt's who appear on the County legal records through 1813. (25) There's plenty of genealogical "grist for the mill" in Halifax records for interested "Merritt" researchers.

Surely Charles Jr. and William have been researched by a descendent or through someone in a related family line and we eagerly await the revelation of any findings which can tie descendents to these sons of Charles and Ellinor Merritt.

We have now arrived at the inevitable "fork in the road" with Nathaniel's family striking off in one direction and John's family in another. Descendents of both can be traced, but time and resources have decreed we stay, at least to a limited extent, with John's family.

Chapter 5

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14. Hofmann, Abstracts of Deeds Edgecombe, pp. 72, 216-217.

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16. Hofmann, Colony of North Carolina, pp. 257 and 260.

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21. Webster's New Twentieth Century Dictionary, Unabridged 2nd Edition, World Publishing Co., Cleveland and New York, 1971, p. 2119.

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Chapter 6

"Doubting" Thomas and Son Benjamin

Although John Merritt's will in the preceding chapter is dated 13 January 1757, we don't know the date of his demise and there is no record of probate. We can only assume he died shortly thereafter since he was "very sick and weake of body." The practice of waiting until death was imminent before writing a will appears almost customary for the period. Indeed, many a mark was feebly scratched because the bedridden testator was too physically infirm to actually sign. Perhaps we are sometimes too hasty in assuming illiteracy when such may not necessarily have been the case.

John's legacy as you recall, included his wife Mary, sons Thomas and John, and daughters Pegee, Amee and Betty. We'll begin with John Jr. below.

John Merritt (Jr.)

The three daughters leave no further record which we are aware of. This leaves sons John Jr. and Thomas. John Jr. "breaks few twigs" along life's pathway for us to follow except for two important records. The first is the possibility of his, and not father John's 1755 purchase of 120 acres as John Merritt, "yoeman" mentioned earlier in Chapter 5. If we can stretch the yeoman definition into meaning the buyer is young, just getting started in life, and therefore not advanced to "gentleman" status, then quite possibly the purchase from John Lane "on the north side of Beach Swamp," was really to John Jr. and not his father. A second record of purchase (without any doubt attached!) is dated one month after his father's will for a large tract on the opposite side of Beach Swamp this time from.."James Jones of Edge. Co. to John Merritt, Jr. of Edge. Co. 16 Feb 1757, 5 shillings current money 353 acres on the south side of Beach Swamp...". (1) This, unfortunately, is our final contact with John Jr.

Thomas Merritt on the other hand, became most adroit in handling land aquisitions beginning in 1739. But before we begin, our determining that this Thomas Merritt of Edgecombe County was really John Merritt's son mentioned in his 1757 will,

and not someone else, has taken considerable deliberation, cogitation and elucidation (not to mention agitation). Concern over this father-son familial relationship with father John Merritt was prompted by two records:

1. Hathaway's Register of Wills "compiled from the originals in the office of the Secretary of State at Raleigh, N.C....(mentions) Merritt, Thomas, Edgecombe, May 18, 1740. Children Peggy Stone wife of John, Thomas John, Ann Hanby, wife of William and Bettie Meritt, wife Mary Executrix. Test. John Haywood, Thomas Merritt." (2)

The above is an error by whoever abstracted for Hathaway. This is confirmed by a written denial of such a record from the North Carolina Archives. They could not locate a Thomas Merritt 1740 will to duplicate. Remember, this was Hathaway's source for abstracting in the first place. Further, your deponent visited the Arvhieves in this regard during 1984 and similarly drew a blank after double checking their will boxes and other publications. Additionally, and conclusively, the legatees are John Merritt's as you can see. The above therefore eliminates the remote possibility by John Senior compassionately entering matrimony with widow Mary following any 1740 death of Thomas.

Our second reservation over quickly accepting the below Thomas as John Merritt's son (and not a relative) can be found in comparing the dates of their wills. John Merritt's will is dated 29 August 1757. Presumably, Thomas died within a year following John. Should we assume that the father nearly outlived his son? Certainly it is not all that uncommon for a parent to outlive a child. Indeed, such happened in my own family. Still, we feel uncomfortable believing this nearly happened so long ago leaving us in a situation in which we are unable to verify the circumstances surrounding this "breaking of stride" in expecting children to outlive their parents by 20 or 30 years. It we choose to accept Thomas' place in this line we can take some comfort in finding no other Thomas Merritt of comparable age commercially active in the immediate area at this time. One other observation before continuing. There is a Halifax will of Mary Merrit dated 2 June 1761 (probate Oct. 1765) in which she requests that her land be sold and divided between "Ephraim Merrit, son of Nathaniel Merrit, Benjamin Merrit, son of Thomas Merit and Benjamin Merrit, son of Ephraim Merrit in equal shares...". (3)

The above are most probably the wife, son and grandchildren of Nathaniel (son of Charles and Ellinor). You recall that Nathaniel's 1735 will included wife Mary, sons Nathaniel, Efrum and Benjamin and daughters Sarah and Mary.

The Thomas Merritt in Mary's will (above) is probably a descendent of Nathaniel or possibly even Charles Jr., or William,

both of whom are John Merritt's brothers. The Thomas Merritt of Mary's will (above) is living in the Halifax County area four years after Thomas (below) who died in 1757. Finally, the grantors in Edgecombe deeds mentioned below are similarly alluded to in Thomas' will which follows, i.e., the grantee Thomas is the same as the testator Thomas.

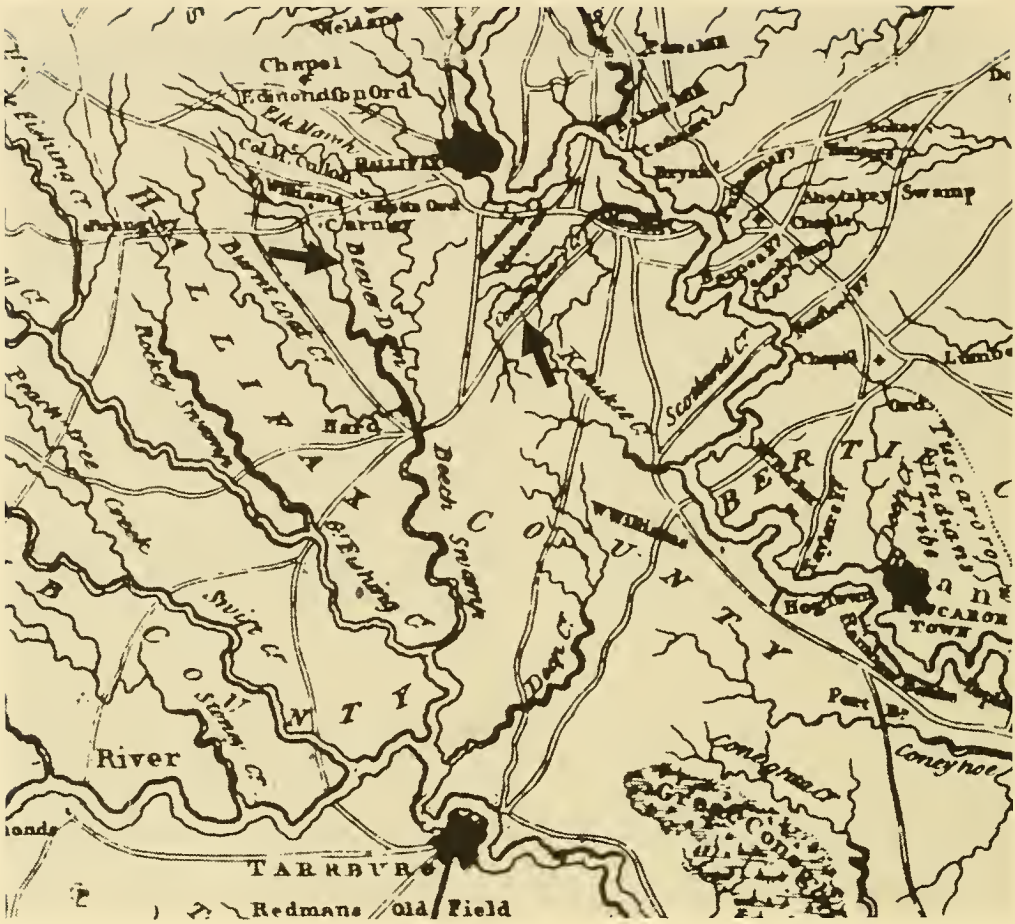
Therefore, our decision to say with Thomas Merritt as the son of John (Senior), aside from John Merritt's will, is also circumstantial as outlined above.

Thomas Merritt

Thomas was clearly not one to let grass grow under his feet. He started with a bang in 1739 by requesting and receiving from the crown 600 total acres in two tracts "...on the head of Coniconary Swamp between Captain Joseph Lane and Benjamin Lane, upon Jumping Run, joining the sd. run, Coniyconary Beaver Dam and sd. Joseph and Benjamin Lane..."(4) (200 acres) AND another tract "...on the head of Coneyconary Swamp between Joseph Lane and Benjamin Joiner upon Jumping Run, joining the Beaverdam and the sd. Jumping Run. (5)

The following colonial map by Collet shows a "Beaver Dam" southwest of Halifax flowing into Beach Swamp and "Coneyconcory Cr." southeast of Halifax. (See arrow) Both grants are dated 20 Nov. 1739.

Copy of Collet Map Dedicated
to
King George III
(1770)
Edited



Thomas remained in the area, prospered as a planter, and subsequently increased his holdings in a purchase from William Taylor on "...30 Aug. 1746 5 pounds current money of Va. 100 acres more or less joining Mitchell's branch and a swamp part of 1000 acres granted to the sd. Taylor 5 July 1743...".(6) Again, the information related here dovetails with his will, as does the below 2 July 1748 purchase from Edward Mitchell for "... 15 pounds current money of Va. 200 acres on the south side of Connaconary Swamp joining Thomas Merritt, Taylor and the swamp all houses etc. Wit. John Merritt, William Tuckat. (7) Question, was witness John Merritt his father or brother? It really doesn't matter, we just like to see a "John" there quietly reassuring us of his fatherly or brotherly interest.

There are further records of other deeds (1746-1747) mentioning Thomas Merritt's bordering presence. He witnessed transactions during 1756 and finally served as a witness on 17 May 1757, three months before he made out his will when in declining health (next page). The numbered lines are for reference only.

Will of Thomas Merritt
("S" substituted for "F")

1. In the name of God amen I Thomas Merritt of the County of Edgecombe in the Province of
2. North Carolina Planter being very sick and weake of body by of perfect sound mind and memory
3. thanks be Given to God therefore Calling to minde the mortàllity of my body and knowing it -
4. appointed for all men once to Die, Do make and ordaine this my last will and testament first:
5. I comend (?) My Soul to God who Gave it my body the Earth to be buryed in a Christian like
6. Manner and as touching such worlly Estate wherewith it hath pleased God to bless me
7. with I give Devise and Dispose of in form and manner following_____(line)
8. Imprimir I give and bequeath to Mary Merritt my beloved wife one Hundred acres of Land
9. Where on I now live including the Mill Dureing her life and all my House Hould Goods
10. and all my stock of both Cattel and Hoggs except _____ _____and _____ calf and also
11. I give her one Bay Horse and one mare the paying of my debts_____(line)
12. Item I give and bequeath to my son William Merrett: two Hundred acres of land that I had
13. of Mitchel and all the Smithe tools and one Heffer and her Calf to him his heirs & assigns
14. for ever_____(line)
15. Item I give and bequeath to my son Benjamine Merrett one Hundred acres of land that I had
16. of Taylor and one Hundred acres More Joyning the aforsaid land containing in the Patton_____(line)
17. whereon I now live and also the plantation and mill after my wife Death to him his
18. heirs and assigns for Ever._____(line)
19. Item I give and bequeath to my Daughteres Mary Ingraham and Martha Merrett one Hundred

acres of land _____ _____ the mill land to be divided Equelly between the two
The aforesaid land not to tuch the mill or the Dam to them thare heires and assignes
also I give to Mary Ingram two Heffers and their calfs to her heirs assignes _____(line)
Item I give and bequeath to my Daughters Margait Merrett and Barbary Merrett one
Hundred acres of land lying on the south side the Mill Pond branch to them thare heirs &
assigns for ever to be Divided Equelly between the two ony Margait to have joyning the
branch_____(line)
Item I give and bequeath to My Daughters Fanney Merritt and Shalaty Merrett Each
of them the valley (?) of the above fifty acres of land to be Raised out of my stock in
Granville County by the Judgement of two men_____(line)
Item I give and bequeath to my son James Merritt three Hundred acres of land in
Granville County and the mill there on to him his heirs and assigns for Ever_____(line)
And my Executors is to have the profit of the planatation and mill in Granville County
for there trouble untill the oner comes of age (?)_____(line)
And lastly I appoint my loving wife and my son William Merritt and Benj: a Merritt
my Sole Executors of this my last will & Testement_____This 29 Day of August
Anno Dom: 1757_____

Signed Seald Published & Pronounced to be
My last will & Testement in Presents of

Sher'd Haywood
Hur
Elizabeth ~~o~~ Goodson
Mark
John Stone

Thos Merritt

A review of Thomas' will shows these legatees in order by line:

(8) "Mary Merritt my beloved wife...

(12) Son William Merrett

(13) Son Benjamin Merrett

(14) Daughter Mary Ingraham

(19) ...and Marthe Merrett

(23) Daughters Margait Merrett

(23) ...and Barbary Merrett (Barbara)

(27) Daughters Fanney Merritt

(27) ...and Shalaty Merritt

(30) Son James Merritt"

Benjamin Merritt

While we know little of Benjamin, son of Thomas (above) even less is known of brothers William and James and all six of his sisters. This presents another golden opportunity for descendents to now step forward and let your claims be known.

Speaking of claims, we are in dire need of "claiming" the below spouse maiden names which as you see, includes Benjamin:

(1) Charles Merritt (d. 1718)
wife Ellinor ____?____(Eleanor)

(2A) John Merritt (d. 1757)
wife Mary _____?_____

(2B) Nathaniel Merritt
wife Mary _____?_____

(3) Thomas Merritt
wife Mary _____?_____

(4) Benjamin Merritt
wife Sarah ____?____

Like his brothers and sisters, Benjamin fell heir to considerable real estate, but we don't know what he did with it since the land description (will following) near Swift Creek differ from

his earlier inheritance of acreage on "southside of Conocanery Swamp." He married Sarah ___?___ and raised a family including three sons (William, Henry and Benjamin) and two daughters, names unknown. There is record of Thomas, Benjamin and William Merritt serving as soldiers and appearing on a muster roll of Edgecombe County Militia during the 1750's. (8) Since the names on the roll were not alphabetized, we can safely assume their enlistment together at one time. Could this be Thomas and two sons William and Benjamin? On a separate roll in a different Edgecombe Militia Company of the 1750's, both Benjamin Merritt and Nathaniel Merrit are listed, but separately. (9) These two are presumedly residing in a differing location since they have been assigned another military unit. They are also, in probability, brothers and sons of Nathaniel and Mary Merritt. Nathaniel, you recall, was the son of Charles and Ellinor Merritt.

Although Benjamin's offering to us is meager in knowledge from either a personal or professional standpoint; he is important in our establishing his residence in Nash County. No, we have no record of his moving although he may have, but he did sign a petition to divide Edgecombe "...into two distinct counties, as many inhabitants have above forty miles to ride to Court." (This is for formation of Nash County in 1777 from Edgecombe County. Another reference to Benjamin Merritt as a witness to the will of Elizabeth Rose, dated 1774, drawn in Edgecombe County and proven during the July Court, 1778, in Nash County. The published source is unknown but contributors of the abstract, Mr. & Mrs. Seymoor T. Rose of San Jose, California add a final note, "The fact that her will was made in Edgecombe County and probated in Nash County can be attributed to the forming of Nash from Edgecombe in 1777..." Clearly, Benjamin was now in Nash County. His will, presented below offers the bulk of what we know about him. While reading, look for clues regarding where he actually lived. Since the will is probated Jan. 5, 1779, Benjamin's death probably occurred shortly before in late 1778. The sale requested by Benjamin was held June 7, 1779. (10)

Will of Benjamin Merritt

Lines are numbered for reference only

In the Name of God Amen I Benjamin Merritt
of Nash County in North Carolina Being sick & weak
of Body yet of perfect sense & Memory thank be to
God & on Consideraiton that life & is -tain
Do make & ordain this to be my Last Will & Testament
I give & Recommend My Soul into that of God
That gave it and my Body I Recommend to the
Earth at the Descretion of my Executors as to my
Wordly Estate I Give Devise Bequeath & Dispose of
The same in the followng Manner -
Item 1 giv and Bequeath to my son William Merritt
One Hundred and forty acres of land liing on the
South Side Side of Swift Creek beginning at a tall pine on
the Creek then up the Rod at - pine at Comes(r)?
of the line (?) the Dercek (?) case to the rod cross
Gearlis Branch Then up Garles Branch to
line then Down my line to the (Creek?)
Item give to my son Henry track
of Land beginning too Hundred yards below
The Corner (?) pi___ on William Merritt line thin
Dereck cost to the out line - also Hundred
and ten akir lying in the g Beach Run and
The Ridy (?) fork Item 1 give to my son Benjamin Merritt
the Remanes of my land and plantation which I have not all Ready
Will a Way Item 1 lend the use of my son
Benjamin Merrit plantation to my Wife During
hir life also I giv to my wife the Lady Mare and Colt
and one Bed and furniture and fore cos (?) in Calff and
ten head of hoggs and the Crop of Corn and the pots
and pites (?) and all the wheals and cards and loam(?)
I leave the Remanes of my Estate to be sold and to be Equal
Devided between my two Dauters Lastly I pint my
Wife Sarah Merritt Executor my son William
and Richard Mannen (?) Executors of My last will
And Testament Signed Sealed and Delivered
as My Last Will and Testament

his

Lewis Dorch Benjamim ⅄ Merritt

My
Iaac ✗ Newman mark
Mark

(No signing dates - Probate Jan Court 1779

Her
Sarah ✗ Cammel
Mark

Our recapitulation of Benjamin's legatees include by line reference:

(11) Son William Merritt

(18) Son Henry

(23) Son Benjamin Merritt

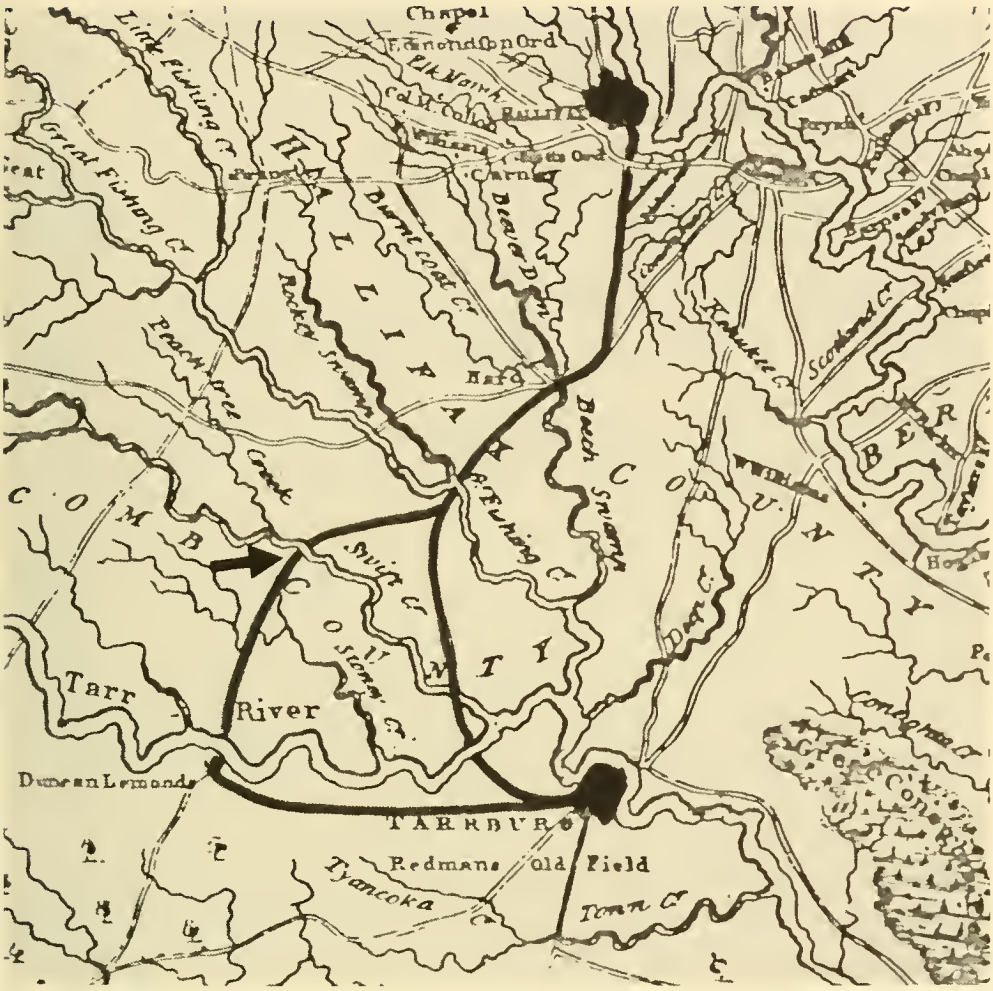
(32) Two Dauters

(33) Wife Sarah Merritt

Sadly, we have no further record concerning the names of his daughters, but sons William and Benjamin show considerable visibility as we shall see in Chapter 7.

We know from his will that he lived along a road on the south side of Swift Creek next to son William Merritt and owned 10 acres on "Beach Run" which may also be "Beech Branch" sandwiched between Compass Creek and Swift Creek near the Nash-Edgecombe County Line. All 3 flow into the Tar River. We should also include a recent finding in an abstract by Watson regarding a petition of Timothy M. Nicholson (dtd 16 Nov. 1803) to turn part of a road leading from the plantation where Benjamin Merritt formerly lived on the way to Tarboro, leaving the Halifax Road...". (11) A portion of the Collet Map presented earlier is shown below with the Halifax-Tarboro road darkened. With north to the top you can see that both the east and west routes cross Swift Creek, but only the western route is located in Nash County where Benjamin lived. Nash County was formed seven years after the Collet Map was drawn.

Collet Map of 1770 with Halifax-Tarboro Road Highlighted
(Edited)



Near where the western route intersects on the south side of Swift Creek would therefore give us some approximation of his domicile. Now all we need to do is actually find the precise location. Interested? This leads us to wonder if record of Benjamin Merritt can be found on an abstract of title owned by a current resident. Indeed, this borders the realm of possibility after what we next find in Chapter 7.

Chapter 6
Bibliography

1. Margaret M. Hofmann, Abstracts of Deeds Edgecombe Precinct Edgecombe County North Carolina 1732 through 1758 as found in Halifax County, North Carolina Public Registery Deed Books 1-2-3-4-5-6, Weldon, N.C., 1969, pp. 61, 103 and 225.

2. J.R.B. Hathaway, Editor, The North Carolina Historical and Genealogical Register, Vol. 1, No. 3, Genealogical Publishing Co., Baltimore, 1970, pp. 323-345.

3. Margaret M. Hofmann, Genealogical Abstracts of Wills 1758 through 1824 Halifax County, North Carolina, The Roanoke News Company, Weldon, N.C., 1970, p. 24.

4. Margaret M. Hofmann, Colony of North Carolina 1735-1764 Abstracts of Land Patents, Vol. 1, The Roanoke News Co., Weldon, N.C., 1982, pp. 156-157.

5. Ibid., p. 282.

6. Hofmann, Abstracts of Deeds Edgecombe, p. 81.

7. Hofmann, Abstracts of Deeds Edgecombe, p. 103.

8. Murtie J. Clark, Colonial Soldiers of the South 1732-1774 Genealogical Publishing Co., Baltimore, 1983, p. 676.

9. Ibid., p. 671.

10. William Perry Johnson, Editor, Journal of North Carolina Genealogy, Vol. X, No. 1, Spring, 1964, (Number 37), p. 1246.

11. Joseph Watson, Abstracts of Early Records of Nash County, North Carolina, 1777-1859, Seeman Printery, Durham, 1975, p. 220.

Chapter 7

From North Carolina to Georgia

While we are able to focus our attention for a moment on Benjamin Merritt Sr's sons, Benjamin Jr. and William; a third son, Henry, drops completely from view leaving no further record in-so-far as Nash County, North Carolina deed records are concerned (1). Benjamin Senior's two daughters continue to remain anonymous but wife Sarah reappears sometime later in connection to the land mentioned in her husbands 1779 probated will. (See Chapter 6 Will, lines 25, 26 and 27).

Locating Benjamin (Jr.) and brother William in North Carolina

Barely ten months following his father's January 1779 probate, Benjamin Jr. received a grant from the state for 364 acres on the south side of Swift Creek (in Nash County, N.C.) adjoining Samuel Sorsby (2) and an additional 110 acres on the south side of Beach Run adjoining Joseph Exum. (3) Concurrently, neighbor Samuel Sorsby himself received a state grant "...of 506 acres on Jarrell's Branch adjoining Benjamin Merritt, Joseph Exum, Thomas Atkinson, William Whitehead, and his own line...". (4) The origin of "Jarrel's Branch" remains a mystery, but is most probably the same "Garlis Branch" referred to in Benjamin Senior's will (see line 16 of Will in Chapter 6).

Both Benjamin Jr. and brother William retained land next to each other until 2 February 1798 when a part of Benjamin's 364 acre purchase next to Sorsby was sold to neighbor Isaac Whitehead with mother "Sary" (Sarah) appropriately co-signing "...for 1,000 silver dollars a 150 acre plantation on the south side of Swift Creek adjoining Samuel Sorsby, William Merit, and the road, it being parts of two tracts, one conveyed from Benjamin Merit to William Merit by will bearing date 1778 and this said tract of land and plantation by will to Benjamin Merit, his son, from Benjamin Merit...".(5) When we tie this information to brother William Merritt's transactions below, a fairly close proximity to where they actually lived can be determined.

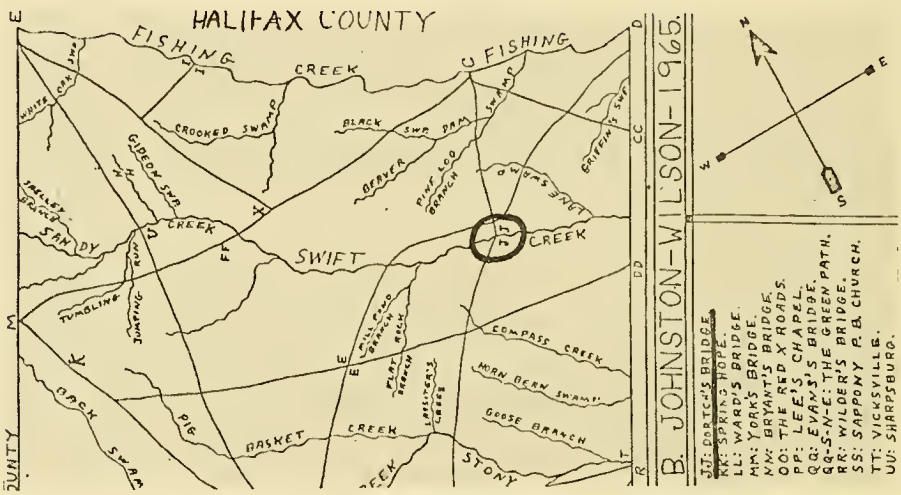
Our earliest introduction to William, Benjamin Jr's brother, is when he witnessed a couple of deeds in May, 1777 (Nash DB-1-68) and January, 1783 (Nash DB 1-217). The latter as a neighborly jesture for Jacob and Lazarus Whitehead. Later, on 28 April 1784, William sold the 110 acre parcel on Beach Run originally willed to his other brother, Henry (see Benjamin Senior's will in Chapter 6, lines 18 to 23). "...To Reubin Taylor of same (Nash County)...for a 100 pds a tract of 110 acres on the north side of Beach Run adjoining Joseph Exum. Wit. William Whitehead

and Joseph J. Clinch...". (6) Question. Whatever happened to Henry? Why did brother William now have possession of land willed to Henry five years earlier?

William witnessed another deed three months following sale of the 110 acre parcel (Dortch to Newsome for 150 acres on the north side of Swift Creek - Nash DB 1-162). The name Dortch is critical here since William "...and wife Nancy Merritt, Nash Co. (sold) to Isacc Dortch of Northampton Co. Dec 27, 1790, for 210 pds of Virginia money a tract of 260 acres on the south side of Swift Creek adjoining Jelks, William Merritt, Benjamin Merritt, and the road...".

Once again, presence of "the road" surfaces for our attention, but now we have an additional clue for location purposes in the presence of Dortch's Bridge (circled below) crossing Swift Creek. The map was drawn by Hugh B. Johnston-Wilson in 1965 and is presented below in part.

Halifax County, North Carolina
(Edited)



Source: Arrow Printing, 1605 Houston, Fort Worth, Texas

Note the presence of Compass Creek to the south. Now compare this location to the larger map following which is a composite of three county maps (Nash, Edgecombe and Halifax) available from the North Carolina Transportation Department in Raleigh. Remember that Dortch's Bridge (circled "1" below) is located on the western of two north-south shaded colonial routes running between Halifax (Circled "A") and Tarboro (Circled "C"). Turn back to the 1770 Collet Map in Chapter 6 and compare it with the shaded routes of todays roads shown below. Remember that Benjamin Senior lived in Nash County when it was formed thereby automatically placing him in the western shaded route. Today's

more direct route of Hwy. 301, and rail line (dots) to Rocky Mount had not been built. The easterly shaded route above approximates the Collet road crossing both the Tar River and Swift Creek.

Both Benjamin Jr. and William initially remained on the property which they inherited with their mother Sarah and presumedly with their two sisters and brother Henry who disappeared in the sands of time. Our focus fortunately remains with the two brothers and we find William selling at least a part of his holdings to buyer Dortch who apparently owned considerable acreage at one time or another on both sides of Swift Creek. We can therefore safely assume that Dortch's Bridge would give us a fairly close proximity of where the Merritt families lived nearby on the south side of Swift Creek and the road.

Although we know that Benjamin Jr. married Hannah Wade, daughter of Henry Wade, their marriage date remains in question. Since their first son William was born in March 1792, we can perhaps take some liberty in assuming their marriage was between 1789 and 1791.

Sarah, their mother remained on this earth at least until February, 1798, when she co-signed a deed to Isaac Whitehead for 150 acres.

Now, when brothers Benjamin Jr. and William actually decided to hit the trail with wagons and stock for Georgia is equivocal. Certainly we would be eager to include any anecdotal records in this regard, but again, we are left with only the indication that some land was retained in North Carolina. They did not sell everything beforehand as we shall soon see.

At this point, our connecting the Benjamin and William of North Carolina with any Benjamin and William Merritt anywhere else is reduced to speculation unless a tie can be established.

The below deed is therefore submitted in its entirety for your perusal. Note place of residence declared by Benjamin and wife Hannah in lines 3 and 4 below. The record is from Nash County, North Carolina Deed Book 8, page 90.

This indenture made this the Eighteenth Day of April in
The year of our Lord one thousand eighteen hundred and five
Between Between Benjamin Merrett and his wife Hannar Merrett
Of the State of Gorgia and the County of Green of the one part and
Wilson Taylor of the County of Nash State of North Carolina of the
Other part witness that for and in consideration of the sum of two
Hundred Dollars to the said Benjamin Merrett & his wife Hannar M
Land paid Before the Sealing and Delivery of the presents
Hath Given Granted Bargained & Sold and by these presents Doth bargain and
Sell unto the said Wilson Taylor him his heirs and assigns forever one
Certain tract or parcel of Land Containing one hundred and fifty acres
Be the same more or less lying in the County of Nash and State of N. Carolina
Lying and Being on Turkey Creak & bounded as followeth to wit Beginning
Sweetgum in the Mouth of the poceson branch and runs N 30 E (?) 160 pole
to a corner thence S at 60 East to a white oak in the haw branch thin down
the various courses of the said Branch to Turkey Creak thence up the
Various courses of the sd creek to the first station to have and to hold
All the sd land premises thereunto belonging without any interruption
or Disturbance of the said Benjamin Merrett and his wife Hannor and
his heirs and assigns clear (?) from him his heirs and assigns in
Witness where of in the Benjamin Merrett and his wife Hannar have
let our hands and affixed our seals the Day and year above written
Signed Sealed and Delivered in presents of
Of Hardy Cain — Benjamin Merrett — Seal
Edward Crowell — Hannar Merrett — Seal

(Same Nash Record Page 90 below recorded from Georgia and posted)
State of Georgia (Be it remembered that on the Eighteenth Day
Green County (of April in the year of our Lord one Thousand
Eighteen hundred and five before me Jesse Lacy magistrate
for the said County Personally appeared the above named
Benjamin & his wife Hannar Merrett, acknowledge the
within written Indenture of Bargain and sale to be (?)
Deed as such to be recorded being first thereunto seperated
and apart (?) and the said Hannar Merrett (does?) volunteer
Renounce Give up and for ever quit her claim to any Dower
or (?) in and to any of the within mentioned premesis
acknowledge before the Day and Date above mentioned

Recorded February Term 1806
_____(illegible) Jesse Lacy, JP

Note: Today, there are two Turkey Creeks in Nash County and both are located in the southwest corner somewhat removed from Dortch's Bridge crossing Swift Creek. Benjamin and Hannah may have originally decided to settle there, but circumstances obviously dictated otherwise.

William's connnection between Nash County North Carolina and Greene County, Goergia is thankfully offered by Mary Spiron of Goldsboro, North Carolina who was kind enough to forward the below record she had discovered in the Secretary of State (N.C.) Papers 1741-1849, Box 832:

> "William Merritt of Nash Co. N.C. appoints William Daniel and Jacob Cain of Wilkes and Greene Co. Ga. as his attorneys."

Being in one place and doing business in another was a problem then as now, but we're glad he did!

Incidentally, our interest in this move from North Carolina to Georgia is not at all unique. Around 1900 (sorry, no date) a query was submitted to The Sunday Constitution in Atlanta and later reprinted by the Joseph Habersham Chapter, D.A.R. (7)

> 26. MERRITT - There were three orphan boys, William, Mickleberry and Henry Clinton Merritt who came from North Carolina and settled in Georgia and Alabama - can any one give me a clew to there ancestors?
>
> W. W.

Although no answer could be found to the above regarding these children of Benjamin Jr., it is interesting to note that since he was born CA 1755/56 and died 1806/7 at about the age of 51 or 52, his estate proceedings are replete with evidence regarding the minority of the three above boys and their sisters.

On a recent trip to Macon, Georgia, Willard Rocker of the Washington Memorial Library was of inestimable value in locating a most informative record regarding Miss Ann Watkins and her lineage from Benjamin Merritt and son Mickleberry. Her monograph is packed with interesting data including lineage, deeds and some estate returns which can be duplicated but you had better check current costs beforehand. Write to:

Genealogical Historical Room
Washington Memorial Library
P. O. Box 6334
Macon, Georgia 31208

Miss Watkins (who your author has regretably not been able to contact) compiled her data during 1963-64 and reported initial evidence of Benjamin and William in Wilkes County in a publication by G. Smith.

"...page 635 Land grant to William Merritt 1783-1785

...page 637 Land grant to Benjamin Merritt 1783-1785" (8)

The title of her source in the above is missing, but her documenting the subsequent Wilkes County, Georgia sale (Merritt to Goss) dovetails with the below published abstract by Davidson.

> Page 18 - MERRIL or MERRIT, BENJAMIN and wife (1st wife) Anne (signed Nancy), to Benj. Goss, 250 acres on north side of Cedar creek beginning on the bank where Jesse Willingham's line crosses the creek, then down the creek to Samuel Nelson's line, with all buildings, Aug. 20, 1788. Chas. Goss, Wm. Key, Christopher Clark, Thos. B. Scott, test. (9)

A second parcel also on Cedar Creek was sold by Benjamin four years later in 1792 (Merritt to Webb Folio 156, Vol 3, Deed Book A, Elbert County, Georgia) Elbert County was formed in 1790 from Wilkes County between the 1788 and 1792 deeds.

Ann Watkins further relates that Anne (above) probably died and Benjamin subsequently married Hannah Wade. (10)

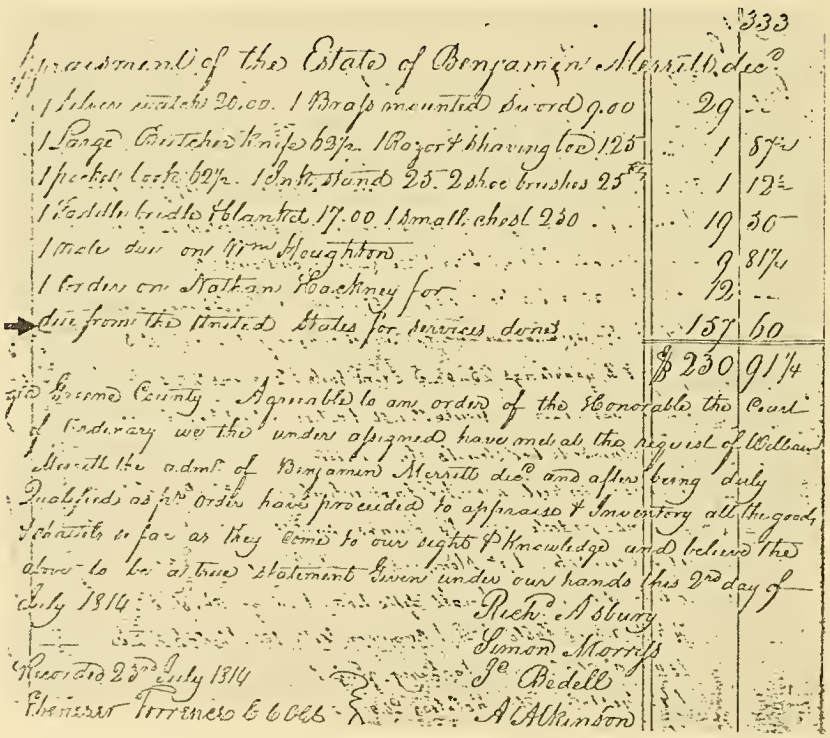
With the above revelation of Benjamin Jr's and William's presence in Wilkes County between 1783 and 1785, the overlap in North Carolina and Georgia land transactions would lend initial speculation that we are talking about the same brothers Benjamin and William Merritt. Further, the 1850 census record shows Benjamin's son, Henry Clinton in Henry County, Georgia, telling the enumerator that he was born in North Carolina. Henry was 53 at the time placing his birth about 1796/7... in North Carolina, not Georgia. There may very well have been some limited traveling between the two states by one or both of the brothers during the "overlap" period of land ownership in both states. Remember that Sarah their mother was by will to have possession of the estate near Swift Creek (N.C.) until her death and she may well have decided to do just that while declining any immediate move to Georgia. Otherwise, brother William either returned briefly to sign his deed of sale (Merritt to Dortch, 1790) and visit his mother or he handled the transaction by mail or courier as Benjamin and Hannah probably did. (Merritt to Whitehead, 1790). Again, note that the signed deed presented earlier in this chapter was recorded in Nash County and dated 18 April 1805. Hannah's immediately following recorded quit claim in which she "personally appeared" before the Justice of the

Peace in Greene County, Georgia is also dated 18 April 1805. In any case, the Benjamin and William Merritt connection between Nash County, North Carolina and Wilkes-Green Counties in Georgia is a matter of record.

Up to this point our focus on cementing some form of legitimacy in establishing "bond" between brothers Benjamin and William of North Carolina with brothers Benjamin and William of Georgia has completely overshadowed our acknowledging Benjamin's contribution to the Revolutionary War effort before moving to Georgia. First, there is a photo record shown below which you can order from the Department of History and Archives in Raleigh, N.C. showing evidence of patriotic service.

> No 702 State of North Carolina July 7, 1781
> S 280.13. As auditors for said state
> This is to certify that Benjamin Merritt
> has established his claim to us and
> was paid the sum of two hundred
> pounds and thirteen shillings.
>
> /s/John Taylor Ramsey

While the above is a North Carolina record, there is further mention of a claim in his Greene County, Georgia estate appraisement on line 8 below.



333

Appraisement of the Estate of Benjamin Merritt dec^d

1 Silver watch 20.00. 1 Brass mounted Sword 9.00	29	--
1 Large Butcher Knife 62½. 1 Razor & Shaving toe 1.25	1	87½
1 pocket book 62½. 1 Ink stand 25. 2 shoe brushes 25	1	12½
1 Saddle bridle & blanket 17.00 1 Small chest 2.50	19	50
1 Note due on Wm Houghton	9	81¼
1 Order on Nathan Hackney for	12	--
due from the United States for services done	157	60
	$230	91¼

Greene County. Agreeable to an order of the Honorable the Court of Ordinary we the under assigned have met at the request of William Merritt the adm^r of Benjamin Merritt dec^d and after being duly Qualified as p^r order have proceeded to appraise & Inventory all the goods & chattels so far as they come to our sight & Knowledge and believe the above to be a true statement Given under our hands this 2nd day of July 1814

Richd Asbury
Simon Morris
J^e Bedell
A Atkinson

Recorded 23rd July 1814
Ebenezer Torrence C C O C C

Finally, we find the below in Volume II of the DAR Patriot Index, page 146:

MERRITT, Benjamin: b 1755/6 d on 7 1807 M (1) Anne (2) Hannah Wade PS NC

Of course, we don't know the exact nature of his Patriotic Service (PS) effort whether in supplies or some other form of assistance during the revolution, but he is deemed worthy of recognition in this regard.

Please remember that our purpose has been to gather and present as much germane information as possible regarding family members in the descending line from Charles Merritt. Available sources of information are limited since southern anecodotal Merritt family histories are indeed scarce. One thing for sure, Benjamin Merritt like his namesake and grandparents was still a pioneer living on the cutting edge of a growing frontier. We can hardly be "carried away" into fantacizing that he daily sat in a rocker sipping a mint julip on the front porch of his southern antebellum mansion. Indeed, typical early Greene County, Georgia settlers could only dream of such ameneties and had to settle for few luxuries. Life was not easy. Still, you can tell by his following will and estate proceedings that Benjamin, Jr. was hardly impoverished. He died young by today's standards, probably around the age of fifty or fifty-two, leaving Hannah and their six young children. Each line copied from Will Book E of Greene County records pp. 27-28 is numbered for future reference. Again, the "f"s are changed to "s"s.

Will of Benjamin Merritt

(27)

State of Georgia Greene County

In the name of God Amen

Line
1. I Benjamin Merrit being sick but in perfect sense &
2. soundness of memory do make ordain and constitute
3. this my last will & Testament/Towit./
4. Item I lend to my wife Hannah all my land & plantation
5. during her life or true windowhood also I lend to my
6. wife Hannah all my plantation tools & utensels toge=
7. =thir with all my household & kitchen furniture
8. also I lend to my wife Hannah all my stock of
9. Horses except by Stud horse & my youngest Colt.
10. Also a sufficient quantity of my pork & hogs &
11. Corn for hir support & family logelhir with

all my stock of Cattle & Sheep & Geese to ge=
=thir all my nijroes Namely Isaac Bob Arch
Jinny Soapy Dynar Nelson & Cherry until my oldest
son come of age at which time he is to receive his
equal & respective portion according to my will &
so on in proportion as also my six children & Wife
come of age or marry in consideration of the above
loan my wife is to raise & support all my
Children well until they draw their portion
Item I Do give to my son William my youngest Colt to him &
his heirs forever also my will & desire is that my Stud
Horse be sold on a reasonable credit & the money
in Connection with my other property to be equally
divided amongst my wife & children also my will
& desire is that my present crop of cotton together
with what pork is over & above my familys use
legelhir with the monies that I have owing to me
go to the discharging of all my just debts &
all moneys lift over & above discharging all
my Just Debts to be equally divided as above

(28)

I give & bequeath all my land negroes & other property
as above mentioned in a equal Division amongst
my Wife & six children to them their heirs & assigns
forever my Will & Desire is that my children
have reasonably education given them out of my
Estate Furthermore I do Constitute & appoint
my Beloved wife Hannah in my Brother William
Merritt & Richard Asberry Executors of this
my last will & Testament thereby making
Void all others until this present Date
Ratifying this & no other whereof I have here unto
Set my hand this the 20th day of October
1806.

Benj[a] Merritt Seal

Test James Roach
Rich[d] Asberry
W[m] Merritt

Recorded 6 July 1807

The named legatees above are:

line 4 wife Hannah
line 17 my six children
line 21 son William
line 38 (mentions) Brother William Merritt
...as one of the executors

Benjamin's estate records revealed the names of his children in separate estate accounts:

William
Mickleberry
Henry C (Clinton)
Betsy or Elizabeth
Evelina
Nancy

For those of you interested in the family necessities, fashion and lifestyle of the period, the following exerpts from Benjamin's estate proceedings in Greene County, Georgia begin on Page 88. Note the time needed to settle the estate.

Edited

Inventory & appraisment of the estate of Benjamin Merritt Decd (page 77)

Feather beds bedsteads & furniture	180 —
2 Tables 6.00 = 11 Chairs 5.75 = 3 wheels = 1 reel = 7 pr cards 10.00	21 75
2 trunks & hand box 7.50 = 1 Cupboard & furniture 16.00 =	23 50
1 Watch 18.00 = 1 pr. firetongs & shovel	21 —
3 pewter dishes = 2 tea pots, coffee mill candlestick =	5
Books, Razors, & strops, shaving box & brush =	4 50
Vials Comb case & glass & smoothing irons	1 25
4 pr Shears 1.00 = 1 Shot Gun 16.00	17 —
jugs bottles & butter pot & Sugar Canaster	7 —
Saddles & bridles 24.00 = 6 brandy cask & keg	32 —
2 fat tubs & pot & 2 other tubs =	6 —
Pots & Soap 3.00 = 6 guns 1.25 = 7 Bee Stands 14.00	18 25
pr steelyards 3.50 = plantation tools 38.50	41 50
Corn 15.00 = 1 Ox Cart 20.00 = kitchen furniture 12.00 =	47 —
Farm & appurtenances 4.00 = Cotton 1.00 = Bacon 66.00 =	71 —
Fine & Salt & tub 4.00 = 1 Grindstone 50 Cts —	4 50
1 Bay Stallion 520.00 = 1 bay mare & Colt 150 =	670 —
1 Sorrel mare 124.00 = 1 Gray horse 113.00 =	237 —
1 Bay filly 75.00 = 1 bay horse Colt 75.00 =	150 —
1 yoke of oxen 50.00 = 3 Cows & Calves 40.50 =	90 50
1 Lot of young cattle 40.00 = 5 head sheep 10.00	50 —
Parcel of Hogs 200.00 = 14 ... stands 14.00 =	214 —
1 still & ... 75.00 = 20 Geese 10.00	85
... Pot & Arch 1.00 = Jinny 250	175 0

over

78 Continued from page 77

1 woman & Children 945 = 1 boy Peter 300 =	1245 —
1 Cradle 1 side leather & rat trap	75
Open accounts	301 25
Notes 112.43 = Cash 196.75 =	$ 309 18 = 5605.93

Original

Inventory & appraisment of the estate of Benjamin Merritt Dec^d (page 77)

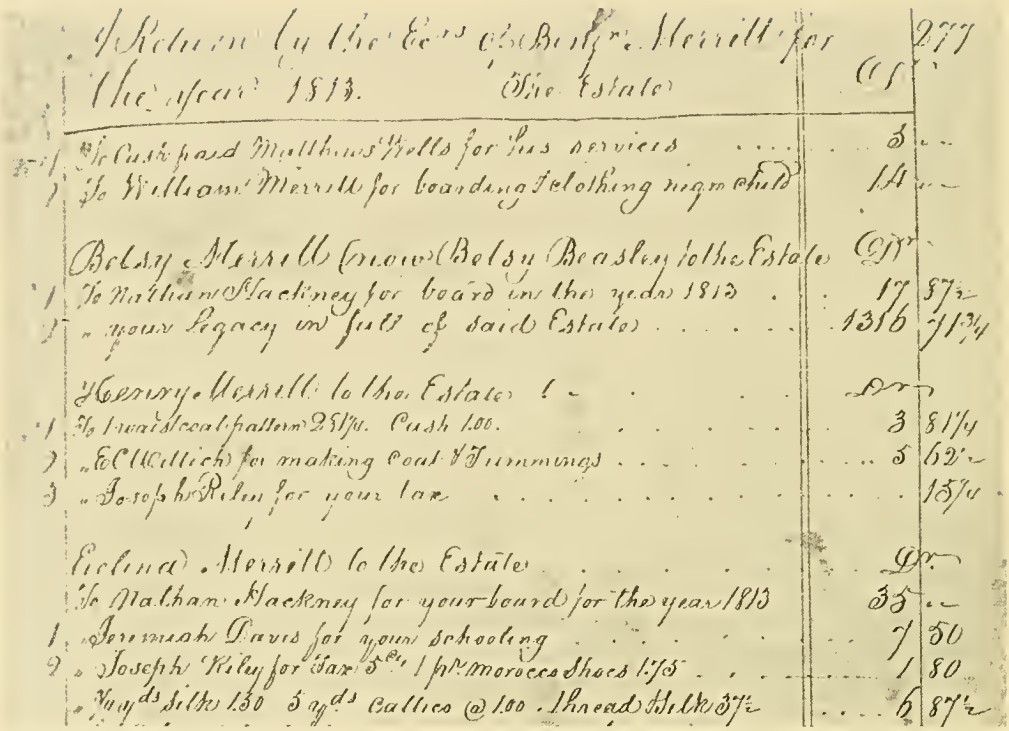
	$	
5 leather beds bedsteads & furniture	180	—
2 tables 6.00 = 11 Chars 5.75 = 3 wheels = 1 seal = 2 pr cards 10.00	21	75
2 trunks & band box 7.50 = 1 Bofat & furniture 16.00 =	23	50
1 watch 18.00 = 1 pr. firetongs & shovel	21	—
3 pewter dishes = 2 tay wns, coffee mill candlestick =	5	
Books, Razors, & straps, shaving box & brush =	4	50
Vials Comb case & glass & smoothing irons	1	25
4 pr Shears 10.00 = 1 Shot Gun 16.00	17	—
Jugs bottles & butter pot & Sugar Canaster	7	—
Saddles & bridles 24.00 = 6 brandy casks 1 Kegg	32	—
2 fat tubs & fat & 2 other tubs =	6	—
Pots & Soap 3.00 = 6 gums 1.25 = 7 Bee Stands 14.00	18	25
1 pr steelyards 3.00 = plantation tools 38.50	41	50
Corn 15.00 = 1 Ox Cart 20.00 = Kitchen furniture 12.00 =	47	—
1 Corn & appropriations 4.00 = Cotton 1.00 = Bacon 66.00 =	71	—
Gun & Salt & tub 4.00 = 1 Grindstone 50 Cts	4	50
1 Bay Stallion 520.00 = 1 bay mare & Colt 150 =	670	—
1 Sorrel mare 124.00 = 1 Gray horse 113.00 =	237	—
1 Bay filly 75.00 = 1 bay horse Colt 75.00 =	150	—
1 yoke of oxen 50.00 = 3 Cows & Calves 40.50 =	90	50
1 lot of young cattle 40.00 = 5 head sheep 10.00	50	—
Parcel of Hogs 200.00 = 14 mobby stands 14.00 =	214	—
1 still & C 75.00 = 20 Geese 10.00	85	—
Grace Bob & Arch 15.00 = Jimy 2.50	17.50	over

78 Continued from page 77

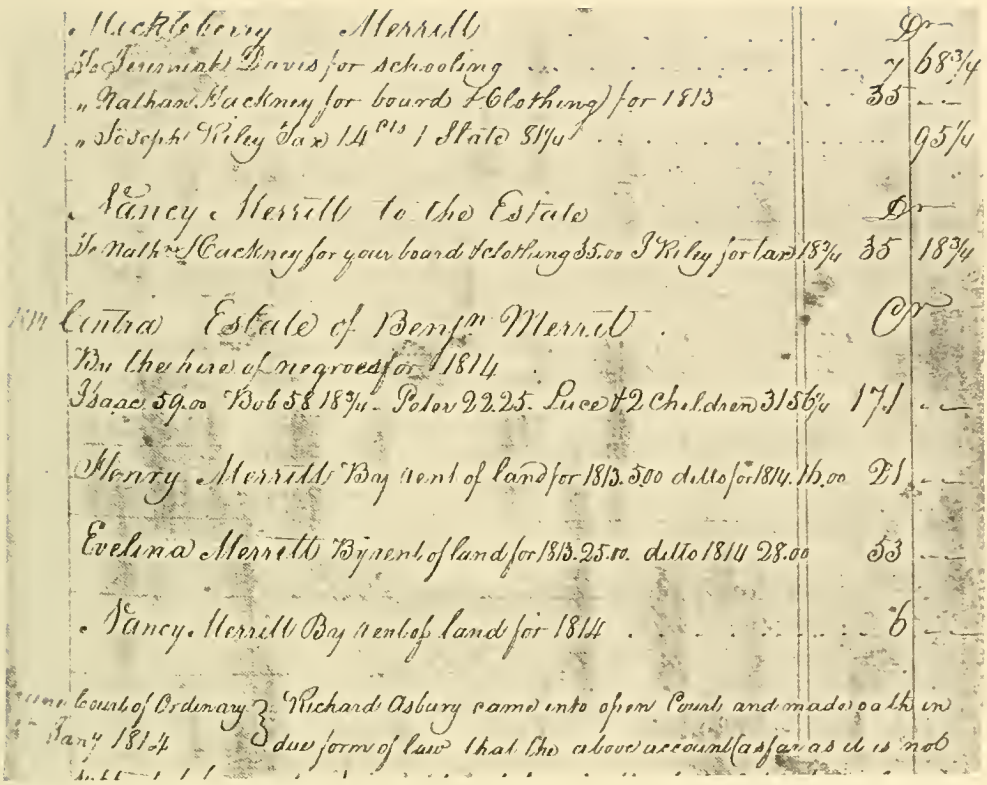
1 Sooman & Children 9.45 = 1 boy Peter 3.00 =	12.45	—
1 Cradle 1 side leather & rat trap	—	75
Open accounts	301	25
Notes 112.43 = Cash 196.75 =	$309	18 = 5605.93

206 For 1812	Estate of Benjamin Merrett dec^d. To Ex^or. said Estate Dr.	Dr.	
returned to Jany Court 1813 No 1	To Wm Strain for recording return		50
2	" Edward Varner Shff of Putnam County for his services	13	50
3	" D^o for Jail fees on acc^t of Albritain Jones	18	75
4	" Coleman Pendleton for Copy of Records		25
	" my attendance & Expences 3 days in the above case	3	00
5	" Cash lost in the above case by Albritain Jones	44	04
6	" 6 yds Bombazett & 1 Scein silk	5	37
7	" Jos Riley Tax 30½ Henry Merritts Tax 16½		47
	" Evelina Merritts Tax 10½. Micleburry Merritts Tax 15½		26
8	" Henry Merritts schooling to W Barnett	4	00
	" Evelina Merritts schooling to D^o	4	00
	" Micleburry Merritts scholing to D^o	3	07
9	" Nathan Hackney for Boarding Betsy Merrett for 1812	40	
	" ditto " Evelina Merritts board & clothing	40	
	" Micleburry Merritts board & clothing	37	50

	" ditto for Nancy Merrills boarding &c	35
10	" Nancy Merrill Dr to 1 Bonnett 275 1 yd Ribbon 18¾	2
	" 2½ yds calico @ 6½. 1 pr Shoes 1.00	2
	" Henry Merrill 1 pr Shoes 2.50 1 Slate 6½ 1 quire paper 37½	3
	2 yds cloth 10.00 1/8 yd Holland 56¼	10
	" Elizabeth Merrill 2¾ yds Knotted Lene 8.25 1 pr Shoes 1.50	9
	" 3 yds calico @ 65 1 Handkff 50	2
	" Evelina Merrill ¼ yd Lene 43¾. ½ yd camtk 43¾	
	" 3 yds Knotted muslin @ 150. 1 Handkerchief 50	5
	" ¾ yd silk 1.31½. 1 Bunch wire 6¼	1
	" Skein silk 12½. 1 pr Shoes 150	1
	" 1 pr Ear rings 1.75 1 quire paper 37½	2
	" 1 pr Shoes 150	1
	" Mackeberry Merrill 1 hat 1.12½ 1 pair shoes 1.50	
	" 1 Book 50. 1 quire paper 31¼	
	" Betsy Merrill 1 Hair comb sold by Hackney & Grant	
	" 1 pr Shoes 1.50. ½ yd Lene 100 1 Handkff 50.	
	" 1 pair Table 150. 1 pr Shoes 1.50 1 Haircomb 75	
	" Harvey Merrill 1 Pen knife 5.50 1 quire paper 37½	
11	" Cash Dr to Nathan Hackney for Boarding sick negr	



	A Return by the Ecrs of Benjn Merrill for the year 1813. The Estate	Dr	277
1	To Cash paid Matthews Wells for his services	3	—
2	To William Merrill for boarding & clothing negro child	14	—
	Betsy Merrill (now Betsy Beasley) to the Estate	Dr	
1	To Nathan Hackney for board in the year 1813	17	87½
2	" your legacy in full of said Estate	1316	71¾
	Henry Merrill to the Estate	Dr	
1	To 1 waistcoat pattern 2 81¼. Cash 1.00.	3	81¼
2	" E C Willich for making Coat & Trimmings	5	62½
3	" Joseph Riley for your tax		15¼
	Evelina Merrill to the Estate	Dr	
	To Nathan Hackney for your board for the year 1813	35	—
1	" Jeremiah Davis for your schooling	7	50
2	" Joseph Riley for Tax 5 Cts 1 pr Morocco Shoes 1.75	1	80
	" 7 yds Silk 1.50 5 yds Callico @ 1.00 Thread & Silk 37½	6	87½



Mackleberry Merrill Dr
To Jeremiah Davis for schooling ... 7 68¾
" Nathan Blackney for board & Clothing for 1813 ... 35 — —
" Joseph Riley Tax 14 cts / State 81¼ ... 95¼

Nancy Merrill to the Estate Dr —
To Nath.l Blackney for your board & clothing 35.00 J Riley for land 18¾ 35 18¾

Contra Estate of Benj.a Merrill Cr
By the hire of negroes for 1814
Isaac 59.00 Bob 58 18¾ Polor 22.25 Luce & 2 Children 31.56¼ 171 — —

Henry Merrill By rent of land for 1813. 5.00 ditto for 1814. 16.00 21 — —

Evelina Merrill By rent of land for 1813. 25.00 ditto 1814 28.00 53 — —

Nancy Merrill By rent of land for 1814 ... 6 — —

Court of Ordinary } Richard Asbury came into open Court and made oath in
Jany 1814 } due form of law that the above account (as far as it is not

Benja Merritt estate continued from page 180-

181

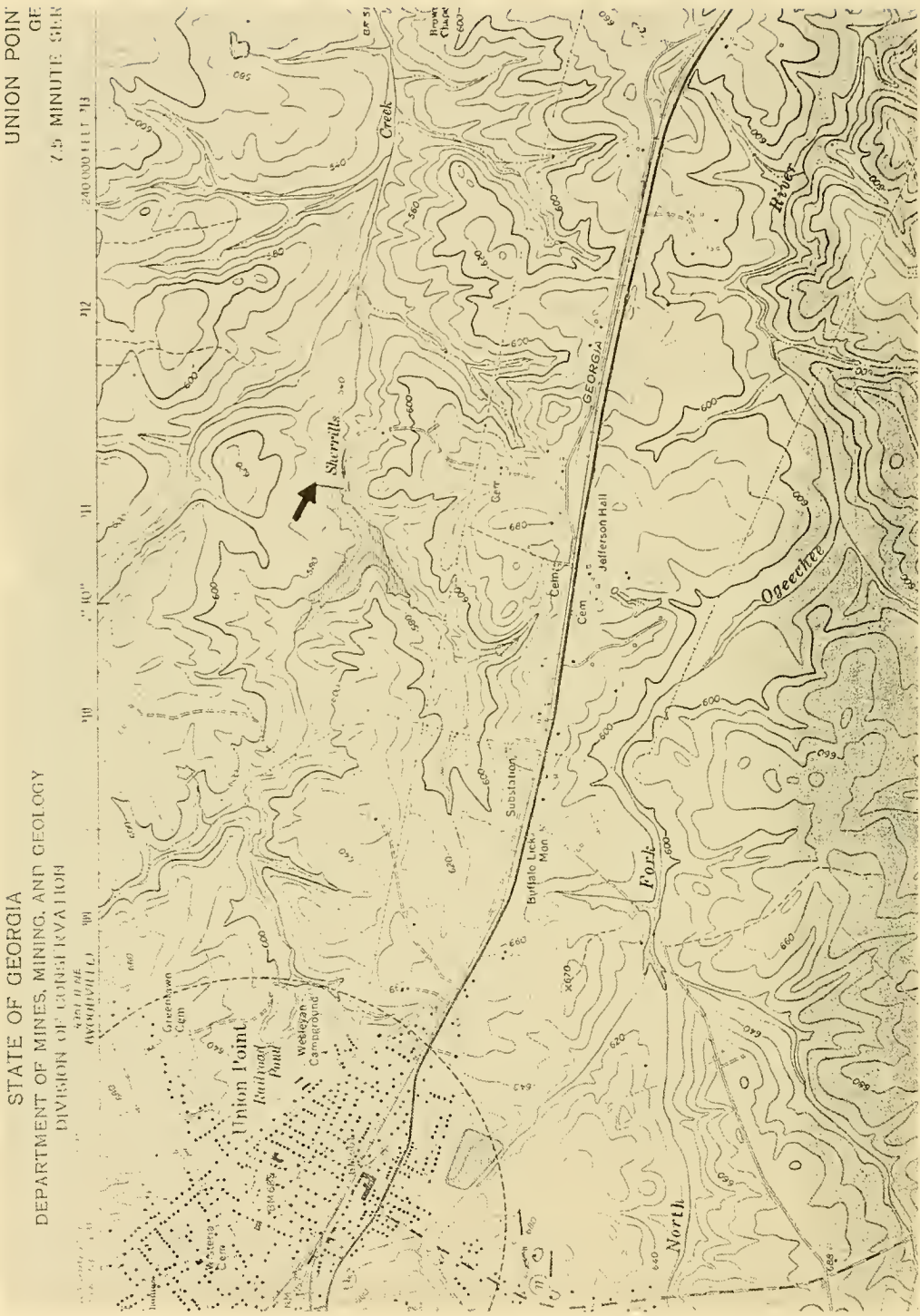
Jan 2 1810 *	By a return made for 1809 + admd	$ 397.17
July 1810	By pd H. Carleton C. C. D.	.25
	" pd for 2 yds lace for B Merritt	2.00
	" pd for pr gloves for do do	.50
	" pd for pr Shoes for do do	1.12½
	" pd for Articles for do do	2.25
	" pd for chest for do do	5.00
	" pd for steps for do do	1.50
	" pd for Bonnet for do do	3.50
	" pd for Articles for do do	3.06¼
	" pd for pr shoes for Michburgh Merritt	87½
	" pd for do for do do 1809	1.00
	" pd for making clothes	5.00
	" pr for pr shoes for N. Merritt	.75
	" pd for quire paper for H. Merritt	.37½
	" pd for Hat for do do	1.50
	" pd for 1 quire paper for E. Merritt	.37½
	* By Clothing + Boarding Wm Merritt Jr from 25 Dec. 1807 to 25 Dec. 1808	60.00
	By do do Eliz Merritt for same time	50.00
	By do do H. C. Merritt for do do	50.00
	By do do E. Merritt for do do	50.00
	By do do M. B Merritt for do do	45.00
	By do do N. Merritt for do do	40.00
	By a return made Jany 1810 + admitted by the Court	277.25½

While the preceding inventories focus on the day to day necessities of the family, reference to the land inherited by Banjamin's children can be found in Appendix F where Nathaniel Hackney, now married to widow Hannah continues to handle his guardianship duties. Note that this 1811 deed mentions Sherrill's (Sherrell's) Creek.

Before continuing, we should remember that brothers Benjamin Jr. and William initially owned land in Wilkes County, Georgia. Benjamin sold his land in 1788 (Merritt to Goss Deed Record Book HH, p. 48, reported by Anne Watkins) and subsequently moved to nearby Greene County. Other important deeds establishing their approximate location of homestead are reproduced in Appendices B, C and D, (Greene County, Georgia DB 3-105, DB 3-104, and DB 4-611).

A perusal of these records shows that Benjamin Jr. and William settled somewhere along Sherrill's Creek now springing in the immediate environs of Union Springs in northeast Greene County. The various spring branches converge to form an easterly flow now including a small lake and dam with access road from U.S. Highway 278 to the south. This you can see from the following map is within 2½ miles east of Union Springs. Sherrill's creek then continues easterly through neighboring Taliaferro County (formed later in 1825) and empties into South Fork which continues into Wilkes County to the east. Only the western portion of the creek is shown on the map. Oglethorpe County borders our area of concern to the north of these three counties. Sherrill's Creek roughly parallels Highway 278 west of Union Point for 3½ to 4 miles. The creek today bends to the south after crossing the Taliaferro County line, then swings northeasterly and empties into South Fork, showing a total distance of perhaps 8½ flowing miles. Between Union Springs and South Fork, three secondary roads today actually touch or cross the creek between these two points somewhere along which the brothers lived.

Union Point Quadrangle
Georgia
7.5 Minute Series (Topographic)



The metes and bounds deed descriptions found in Appendices B, C and D all allude to Sherrill's Creek with neighbors at one time or another being McIntosh, David Sherrill, Jason Gargail and Levy Gatlin. Otherwise, we are left with Small Red Oaks, Black Oaks, Spanish Oaks, Maples, and a Sweet Gum as boundary markers for locational purposes!

Our thirst for knowledge of where brothers Benjamin Jr. and William actually lived along Sherrill's Creek can perhaps only be quenched by a title search. Of course, one must pre-determine possible likely locations beforehand and check current tax rolls. This would be a formidable task to say the least, but not outside the realm of possibility.

Finally, there is another "burr under the saddle" to acknowledge before moving our thoughts to the next generation. Please turn again to Appendix B showing the earliest Greene County Georgia deed dated 20 November 1798 between grantor William Merritt and grantee Benjamin Merrit re. land "lying being on Sherrill's Creek in the county of Oglethorpe." Sherrills Creek today does not run through Oglethorpe County. Therefore, why mention of Oglethorpe when the other two deeds in Appendices C and D refer only to Sherrills Creek in Greene County? Could this recording be analagous to that of brother William who appeared on the 1793 Wilkes County Tax List owning 287½ acres in Franklin County and also on the 1794 Warren County Tax List owning 287½ acres in Franklin County? Interesting? William also owned 730 acres in Ogletorpe County purchased at auction 21 Oct 1794 (Oglethorpe Deed Book A, page 59).

Another generation emerges

While we have seen estate records for Benjamin Merritt's wife and children, brother William and his progeny begin to fade from view and we are again left with submitting a humble request for information regarding his family line. This is a trail which indeed can be followed, but regretably, time and resources have limited our exploration efforts on his behalf.

Otherwise, we can now reasonably focus on Benjamin's children thanks again to the efforts of Anne Watkins and recordings found in the Wade Hemphill Bible as reproduced in the Georgia Genealogical Magazine. (11) Son Mickleberry Merritt's family is further documented in a Bible owned by Mrs. Jere M. Pound of Athens, Georgia and reprinted in the Historical Collection of the Georgia DAR. (12) For convenience, sources below are coded in the following information:

AW for Anne Watkins
WHB for Wade Hemphill Bible
JMP for Jere M. Pound Bible

Benjamin Merritt's Children

1. William Merritt
   - A. Was eldest son in Benjamin's will (AW)
   - B. born 1792 (AW)
   - C. married Edna Vason 1 Nov. 181 (AW)
   - D. died _____.

2. Elizabeth (Betsy) Merritt
   - A. born 31 July 1794 (WHB)
   - B. possibly married Ezekiel Brown (?) (AW)
   - C. died _____.

3. Henry Clinton Merritt (record follows in more detail)
   - A. born 29 October 1796 (WHB)
   - B. married Jackann Crawford 17 Dec. 1818 Greene County
     Jackann Crawford born February, 1797 (AW)
   - C. died 1870 - August probate

4. Mickleberry Merritt
   - A. born 30 Dec. 1802 (AW and JMP)
   - B. married Jane Brown 5 Jan. 1824 (AW), 1 Jan. 1824
     Jane Brown died 6 April 1870 (AW)
   - C. died 24 Nov. 1866 (AW)

Note: Mickleberry appears in 1830 census of Georgia (Roll 19, p. 210), 1840 Census Monroe County, Georgia (page 3) 1850 Census in Monroe County (page 74) showing:

	Age	Sex	Occupation	Value Real Estate	Birth Place
Mekleberry Merritt	48	M	Farmer	16,000	GA
Jane Merritt	43	F			
Wade Merritt	21	M			
Eliza Merritt	19	F			
Meleberry (?) Merritt	15 or 17	M			
John Merritt	12	M			
Auguste Merritt	9	M			
James Merritt	11	M			
Rebecca Merritt	6	F			
Laurah Sarah (?) Merritt	4	F			
Warren Merritt	1	M			

The 1860 "pre-war" census also lists Mickleberry in Monroe County, Georgia with a Forsyth post office (Georgia Reel 131, page 30).

	Age	Sex	Occupation	Value Real Estate	Value Pers. Prop.	Birth Place
M. Merritt	58	M	Farmer	20,000	70,000	GA
Jane Merritt	51	F				
Robert Merritt	22	M				
James Merritt	19	M				
Clynch Merritt	17	M				
Rebecca Merritt	15	F				
Ida Merritt	12	F				
Jane Edwards	23	F				
Wm. Merritt	70	M	Cooper			

Note: Could William, Age 70 above, be Mickleberry's older brother?

The 1870 "post war" Monroe County census only shows Robert Merritt above with wife, child and 12 farm laborers (Roll 166, page 52).

The below names and dates come entirely from a Bible owned by Mrs. Jere M. Pound of Athens, Georgia and reprinted by previously cited Historical Collections:

MICKLEBERRY MERRITT
Bible owned by Mrs. Jere M. Pound, Athens, Ga.

MARRIAGES:
Mickleberry Merritt, b. 12-30-1802, m. 1-1-1824, Jane Brown, b. 10-12-1808
William R. Murphey, b. 11-17-1819, m. 12-21-1837, Lucy Ann Floyd, b. 12-13-1818.
Erastus J. Murphey, b. 8-10-1842, m. 4-15-1866, Laura Ida Merritt, b. 8-3-1847.

BIRTHS:

William D. Merritt.....11-27-1824	M. Thomas Merrit.....1-28-1836
Mary E. Merritt..... 4- 5-1827	John R. Merritt.....4-16-1838
H. Wade Merritt..... 8-31-1829	James R. Merritt.....7-28-1840
Eliza Ann Merritt..... 7-24-1831	Angus C. Merritt.....1-11-1843
Elizabeth Jane Merritt.....12-30-1833	Sarah R. Merritt.....1- 7-1845
	Warren A. Merritt.....11-12-1849
Children of William Reid and Lucy Ann Floyd Murphey:	
John T..... 3-15-1840	Erasmus Milledge..... 3- 8-1848
Erastus J. 8-10-1842	Asmon A..... 9- 9-1850
Willie M..... 5- 9-1844	Phinchas A.....11- -1852
Elizabeth..... 5-16-1846	Artemas A.....11- 6-1855
Priscilla A.....11- 7-1860	Melatish S..... 4-20-1858

5. Nancy Merritt

A. born 17 November 1804 (WHB)
B. married William Askew
3 December 1835 ? (AW)
C. died 21 November 1982 ? (WHB)

6. Evelina Merritt

A. born 22 September 1800 (WHB)
B. married Wade Hemphill 23 July 1817 (WHB)
married Wade Hemphill 1816 (AW referring to Morgan County record)
C. Wade Hemphill died 27 April 1833 (WHB)

Ann Watkins monograph also includes the below observations regarding Benjamin Merritt's family: (13)

Note: Evelina Merritt was sister of Nancy Merritt and Wade Hemphill was the guardian of Nancy Merritt after the death of Nathan Hackney her first appointed guardian. Copied from "Oldest Book of Administrations" in Morgan County, Georgia B "B", page 207, Recorded May 5, 1817. "The Estate of Benjamin Merritt, 1815, Oct. 2, paid clerk of letter of guardianship by Nathan Hackney, Guardian of orphans of Benjamin Merritt".....this document names Evelina, Mickleberry and Nancy Merritt. This proves they were minors of Benjamin.

Copied from Deed Book "EE" 181-1815, page 68 dated 2 Nov. 1811 Greene Co.Ga. Selling transaction & deed between Nathan Hackney and William Merritt, Jr. (son of Benjamin Merritt, dec'd). Deed acknowledged & certified Nov. 8, 1811. This deed is signed by Nathaniel Hackney and Hannah Hackney. It is believed that after the death of Benjamin Merritt, his widow, Hannah (Wade) Merritt married Nathan Hackney and Hackney applied for letter of guardianship for Benjamin Merritt's minor children. The petition was granted and he was appointed their guardian. Then Nathan Hackney made his will April 28, 1826-Morgan County, Ga. Will Book "B" 1815-1830 page 198 (he moved from Greene to Morgan County, Ga.) and will was probated December 6, 1826. At this time Nancy Merritt was still young enough to have a second guardian. Wade Hemphill was appointed Nancy's 2nd guardian. This is proven by "Journal of Returns" 1831-1833 Book "H", pages 77 and 314, Morgan Co. Ga. records where in it is stated that Wade Hemphill is Nancy Merritt's guardian.

While on the subject of Anne Watkins who has contributed so much to our knowledge of Benjamin Merritt and son Mickleberry, the below chart prepared by her and found with her other Merritt

papers (Washington Memorial Library in Macon, Georgia) is reprinted on pages 102-103. (14) While recorded family descending lines connecting to some of these children undoubtedly exist in Bibles or Monographs like Ann Watkins, their actual location remains in question and therefore cannot be reported here. Again, it is with regret that your deponent has not been able to personally contact Ann Watkins. Sorry.

Fortunately, we are able to continue below with Henry Clinton, one of Benjamin's three sons.

Henry Clinton Merritt

Thanks to both the Wade Hemphill Bible record and the 1850 Census, which was the first listing by name of all family members, we find that Henry Clinton was born 29 October 1796 in North Carolina. Our first census record of Henry Clinton is in 1820 where he resides in Morgan County with wife and young daughter. (15) Green County, Georgia records show he was married 17 December 1818 to Jackann Crawford. She was the daughter of William Crawford (b. 1765, d. 1836 Green County, Georgia). and Deliah (b. 1769, d. 1837 Harris County, Georgia). William Crawford was the son of Thomas Crawford, Sr. His will is dated 30 March 1819 and probated during the July term, 1819. The estate records of Thomas Crawford which include a sale of his belongings include records of son William and grand son-in-law Henry Merritt as buyers. Although further verification is needed, it is possible that Thomas Crawford who died in 1819 was the son of Thomas Crawford (1729-1794) recognized for his service as a Private in the Virginia Line. He was born in Virginia and later died in Georgia (see DAR Lineage Book Volume 83, page 141). Please understand we are not attempting to establish this connection, only offering the possibility for any interested researcher.

The 1820 Census of Morgan County, Georgia, also shows William Merritt and family with ages only checked on the same enumeration page as Henry C. Merritt. This indicates a nearby residence. Both William and spouse are checked in the "45 up" age column. Could this be Henry's Uncle William, brother of father Benjamin Merritt? (16)

Time marches on and 1830 finds Henry Merritt and family moved to neighboring Greene County, Georgia. He now has five youngsters including 3 boys and 2 girls all under the age of 11. (17) By 1840, indications of prosperity on the farm begin unfolding with 15 slave laborers checked and children growing. (18) By 1850 we thankfully see for the first time named family members in the U.S. Census.

Enumerators, being human, had good days and bad days, some

BENJAMIN MERRITT

Great, Great, Great Grandfather of

Anne Watkins

MISS ANNE WATKINS
917 Oakdale Road, N. E.
Atlanta 7, Georgia

Benjamin Merritt
b. approx 1755 N. C.
d. 1807 Greene County, Ga.
His will made 1806 probated 1807.
Greene County Ga. record.

married

Hannah Wade (dau. of Henry Wade
b. d.

It is believed Benjamin Merritt 1st married Anne or "Nancy", tha she died and he married Hannah Wade; that Benjamin died and his widow Hannah then marrie Nathan Hackney who was guardian Benjamin's minor children.
From Greene & Morgan County, Ga. Records.

Mickleberry Merritt
b. Dec. 30, 1802 Greene Co. Ga.
d. Nov. 24, 1866 Monroe Co. Ga.

Jane Brown
born Oct. 12, 1808
died April 6, 1870 Monroe Co. Ga.

Eliza Annett
b. July 24
d. Nov. 7,

Monroe Co. Ga. married Jan. 5, 1824
Monroe Co. Ga. in Morgan Co. Ga.

Annie Jane Hammond married De
b. Jan. 14, 1855 Monroe Co. Ga.
d. Aug. 3, 1941 Jackson, Ga.
Butts Co.

Thomas Sin
b. Oct. 13
d. October

Wade Hammond Watkins
b. July 5, 1881-Butts Co. Ga.
d. April 11, 1955 -Jackson, Ga.

married Dec. 3, 1876

Paschal Rabon Watkins
b. Aug. 22, 1846 - Monroe Co. Ga.
d. Aug. 26, 1913 - Butts Co. Ga.

nne Watkins
. Dec. 18, 1910
Butts County, Ga.

married Dec. 8, 1909 in
Griffin, Ga.
Spalding County

Annie Maie Pullin
b. June 17, 1879 - Spalding Co. Ga.
d. Oct. 26, 1946 - Butts Co. Jackson, Ga.

Warren City Marriages
GA Gen'l Magazine 1972-1975 P47
William Harbuck m. Hannah Merritt April 14 1810
(Daughter of Benj ??)

took pride in their work carefully watching their penmanship and others simply hurried to get done. Hours of gazing at microfilm roles indeed sensitizes any researcher into "feeling" the mood of these public servants as they feverishly scratched out an error or simply pen the correct entry over the incorrect and hurriedly move on to the next farm or house. Since initials for example, are quicker to jot down than first names, Henry's enumerator, probably acting in haste, left us with only the below letter clues to the children's names. The enumeration date is 26 September 1850 for Henry County, Georgia (Reel 73, page 230, line 14).

	Age	Sex	Occupation	Value Real Estate	Birth Place
H. C. Meritt	53	M	Farmer	$ 8,000	NC
J. A. Meritt	53	F			NC
P. W. Meritt	23	M	Farmer		GA
M. C. Meritt	20	M	Farmer		GA
W. P. Meritt	16	M	Farmer		GA
M. A. Meritt	14	F			GA
F. E. Meritt	12	F			GA

By 1860, Henry and Jackann had almost become "empty nesters" with only youngest daughter Frances E. remaining home. Census data shows them still on the farm in Henry County, Georgia with real estate valued at $8,000 and personal property $26,554, a tidy sum for that era. (19) Eldest son P. W. Merritt has taken up farming near Mount Carmel, Georgia with wife Martha and two young sons, Henry W., age 4, and Oscar C., age 2. (20) M.C. (Mickleberry Clinch) has moved to Barbour County, Alabama where he appears on the 1860 census record as "Merit, M.C.". W. P. (William Parks) most probably has enlisted early for military duty with CSA (Chapter 8). Daughter M.A., now 24 years old in 1860 has left home and is possibly married. It's a shame we only know her by the above initials so hastily scratched by the 1850 census enumerator. Youngest daughter F. E. (Frances E.) is still home in 1860. Certainly Henry Clinton and Jackann had reached a comfortable level of financial prosperty as a farmer and plantation owner in days prior to the war. Changing political and military events during the 1861-65 conflict affected everyone and I wonder if we can really imagine the trials and devastation these people experienced. By the 1870 census, at least a few years had elapsed since Appomattox with some economic recovery underway. We find Henry and "Jackey A" still in Henry County, Georgia (21), alive now in their 70's, but with greatly diminished holdings from either the war or possibly because they had already decided to distribute some of the estate to the children for whatever consideration (see lines 25 to 28 in following will

of Henry C.). Regardless, their 1870 census recorded value of real estate had been cut from $8,000 in 1860 to $4,000 in 1870 and value of personal property from $26,554 in 1860 to only $1,200 in 1870. Actually the original loss could have been much greater by 1865 and the above 1870 figures represent a lot of hard work in rebuilding.

Precisely where H. C. and J. A. lived all these years in Henry County, Georgia is unknown. We can only look for the opportunity to actually visit the area and research records or await word from other family members who currently have access to this information.

Henry Clinton may have died within days of the 27 July 1870 enumeration since his will was admitted to probate on 2 August 1870. Some speculation as to the accuracy of the 27 July enumeration date somehow creeps into the picture here, but there is little need to dwell on the matter. Henry's will is presented below. If you wish to order a copy it can be found in Will Book A, pp. 387-8 in Henry County, Georgia probate records. Lines are numbered for any future reference.

Line
1. Know all men by these presents that I,
2. Henry C. Merritt of mature age in the County of
3. Henry and State of Georgia being of sound mind
4. and memory do make and publish this my last
5. will and testament as follows.
6. 1st I do hereby appoint my son W. P. Merritt and my
7. Son in law Wm G. Hinton my executors and administrators
8. of this my last will and testament.
9. 2nd I hereby direct my executors and administrators
10. W. P. Meritt and Wm G. Hinton to allow, set aside,
11. and deliver to my wife J. A. Merritt a competent
12. and sufficient support during life; said support
13. as for quantity shall be determined by my executors and
14. administrators: but the quality or kind to be left entirely
15. to the choice of my wife J. A. Merritt and at her death
16. such support or part-thereof remaining shall be
17. divided among my heirs or their legal representatives
18. 3rd The remainder of my estate after my wife has
19. received her support I hereby direct my executors
20. W. P. Merritt and Wm G. Hinton to sell or cause to
21. be sold to the highest bidder at publick out cry all
22. my property so remaining including land to (?) and
23. divide the proceeds arising from said sale together
24. with such money as may be in my possession at my
25. death equally among my heirs taking in consideration
26. the property or money that has been given my heirs
27. previous to the War, during the war, or since the
28. war.
29. 4th All, or any property or money which I have
30. given to my heirs previous to the signing and
31. Sealing of these presents whether land negroes shall
32. be accounted to such of my heirs as received the
33. same at the price agreed upon at the time of
34. delivery and in case no price has been agreed
35. upon it must be determined by my executors
36. administrators and legatees on oath as to worth
37. what they were worth when received. All of
38. my heirs shall be made equal before a full
39. and final division is made then
40. remainder to be equally divided
41. 5th All notes that are in my possession at my
42. death against any or all of my heirs such heir
43. or heirs it shall be accounted unto him her or
44. them as money received without interst whether
45. the same was received before Eighteen hundred
46. and Sixty one or since.
47. 6th I hereby appoint M. C. Merritt as agent for

the children of Joel H. Merritt and Martha Ann
Maddox's children the two last named being dead
the said M. C. Merritt is to receive command and
control that part of my estate which may be
coming to them and to employ such money
as seemeth to him the said M. C. Merritt agent
as may be best for the interest (of) said children
and pay the same to them as they become of age
Nov. 3rd 1868 Henry C. Merritt

(Admitted to probate 2 August 1870)

In brief, those named in the will of Henry C. Merritt are:

line 6 "son W. P. Merritt (executor)
line 7 son-in-law Wm. G. Hinton (executor)
line 11 wife J. A. Merritt
line 17 my heirs (not named but in estate records)
line 47 M. C. Merritt (appointed agent for children)
line 48 children of Joel H. Merritt (relationship unknown)
lines 48-49 Martha Ann Maddox's children"

Other estate records show largest purchase by M. C. (Mickleberry Clinch) Merritt in the below sale dated 3 January 1871.

> Sale Bill of the real Estate of Henry C Merritt dec^{d} sold before Court House door in M' Don' Henry Co. Ga. on 1st Tuesday in January 1871 half cash half credit twelve months with (?) bal. of land left for the widow to live on as per will of dec^{d} 350 acres more or less Rough (?) place no. not collect (?) joining widow love (?) & Wm Moseley on east, Wm G. Hinton on south, Wm P. Merrit on North and land occupied by Widow of dec'd on west sold to M. C. Merritt highest bidder at $381.00..."

Other Merritt and quite a few Hinton family members bought various items at the 15 December 1875 estate sale of Henry Clinton Merritt. Of course, many other items were sold to other people and the below represents only a sampling...

(Page 1)

	Purchaser	Price
1 club ax	P. W. Merritt	$ .80
bucket & pail	Alfred Merritt	.25
1 churn	Alfred Merritt	.30
2 pots	Frank Merritt	.25
1 skillet	Alfred Merritt	.25

(page 3)

1 lot soap	P. W. Merritt	$ 1.25
3 plows	P. W. Merritt	.25
Wagon & Harness	P. W. Merritt	14.95
Buggy & Harness	Geo Hinton	8.00

Mule	P. W. Merritt	40.75
3 books	P. W. Merritt	.20

Although not all specifically named in Henry Clinton's will, his five children are listed below by age, their birth dates estimated from the 1850 U. S. Census of Henry County, Georgia (see Microfilm Reel No. 73 for 1850, page 230, line 14+) the children are listed under Henry and Jackann beginning with "P. W. Merritt."

	Age	Sex	Occupation	Value Real Estate	Birth Place
H. C. Meritt	53	M	Farmer	$ 8,000	NC
J. A. Meritt	53	F			NC
P. W. Meritt	23	M	Farmer		GA
M. C. Meritt	20	M	Farmer		GA
W. P. Meritt	16	M	Farmer		GA
M. A. Meritt	14	F			GA
F. E. Meritt	12	F			GA

While Merritt family members abound today in Georgia as descendents of the above, others elected to push westward into Alabama or beyond to California. Henry's children experienced in one way or another the War Between the States and perhaps some even the turn of the 20th Century. We have therefore reached a point in time currently "accessable" to other Merritt family members interested in assembling their own family histories. Names of many other Merritt family members recorded in each southern state by county are readily available in any genealogy library and with sufficient diligence can be traced back by any researcher today. Of course, to record here each descendent of Benjamin and William not to mention other contemporary Merritts who entered Georgia from North Carolina or anywhere else for that matter, would be a monumental task involving considerable time and financial resource. For example, the 1830 Georgia Census found in your local genealogy library lists heads of household only: (22)

Meret - 1 Merit - 4 Merett - 1 Merrett - 9 Merrit - 4 Merritt 16

Further, the 1850 census for Georgia which first listed not only heads of household, but family members as well (not shown here) showed: (23)

Number of families by recorded spelling

Meret -	0
Merett -	3
Merit -	16

Meritt -	3	(one was Henry Clinton Merritt)
Meritte -	1	
Merret -	1	
Merrete -	1	
Merrett -	4	
Merrick -	1	
Merriot -	1	
Merriett -	1	
Merrit -	1	
Merritt -	27	

Naturally, one can only speculate on the number of descendents alive today who can trace their roots to the above Georgia families. And, quite understandably, the closer in time one is in searching for grandparents or great grandparents, the less "global" interest is generated. Therefore, Chapter 8 is simply dedicated to the descendents of Mickleberry Clinch Merritt who was Henry Clinton Merritt's second oldest son.

Chapter 7

Bibliography

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2. Ibid. (D.B. 3-221) p. 107.

3. Ibid. (D.B. 3-241) p. 108.

4. Ibid. (D.B. 3-200) p. 105.

5. Ibid. (D.B. 6-338) p. 275.

6. Ibid. (D.B. 3-286) p. 111.

7. Mrs. William Lawson Peel, Historical Collections of the Joseph Habersham Chapter, Daughters of the American Revolution, Vol. II, Genealogical Publishing Co., Baltimore, 1968, p. 31.

8. Anne Watkins, Merritt monograph compiled 1963-1965 found in Genealogical and Historical Room, Washington Memorial Library Macon, Georgia, p. 4.

9. Grace G. Davison, Early Records of Georgia, Vol. 2, Wilkes County, Videlia, Georgia, The Rev. Silas E. Lucas,Jr. (Publisher), 1968, p. 115.

10. Watkins, Merritt, p. 4

11. "Wade Hemphill Bible", Georgia Genealogical Magazine, No. 65-66, Summer-Fall, 1977, pp. 181 and 183.

12. Lela Gentry, Editor, Historical Collections of the Georgia Chapters, D.A.R., Vol. 4, "Old Bible Records and Land Lotteries" (A-32) reprint 1969, Georgia Genealogical Reprints c/o The Rev. Lucas, Jr., Episcopal Church of the Annunciation 405 Virginia Way, Videlia, Georgia 30474, p. 19.

13. Watkins, Merritt, p. 5.

14. Watkins, Merritt, p. 2.

15. See below U.S. Census of Georgia on microfilm by dates listed:

    1820 Morgan County Reel No. 10 page 346
    1830 Henry County Reel No. 18 page 225

1840 Henry County Reel No. 14 page 334
1850 Henry County Reel No. 73 page 230
1860 Henry County Reel No. 127 page 31*

*Note: P. W. Merritt and family are on same reel #127, page 43 in Mount Carmel.

1870 Henry County Reel No. _____page 43*

*Note: Henry Merritt probably died shortly following the 27 July Date of Enumeration, since his probate is August, 1870.

16. U.S. Census 1820 Morgan County, Georgia, Reel No. 10, p. 346.

17. U.S. Census 1830 Henry County, Georgia, Reel No. 18, p. 225.

18. U.S. Census 1840 Henry County, Georgia, Reel No. 14, p. 334.

19. U.S. Census 1860 Henry County, Georgia, Reel No. 127, p. 31.

20. U.S. Census 1860 Henry County, Georgia, Reel No. 127, p. 43.

21. U.S. Census 1870 Henry County, Georgia, Reel No. , p. 43

22. Index of 1830 Georgia Census, Delwyn Associates, Albany Georgia 31701, 1974, pp. 196-197.

23. R. V. Jackson, et al, Editors, Georgia 1850 Index, Accelerated Indexing Systems, Inc., 3346 South Orchard Drive, Bountiful, Utah 84010, pp. 182-183.

Chapter 8

From Georgia to Alabama

While the below data is initially centered on Henry Merritt's son, Mickleberry Clinch Merritt, who settled in Barbour County, Alabama, there are county deed records of prior Merritt family settlers. Earliest Barbour County records in Clayton show both William and George W. Merritt in deed books dated 1852-1854, 1854-1855 and 1856-1858. Their kinship to M. C. Merritt is still in question.

Mickleberry Clinch Merritt was born 6 September 1829 in Henry County, Georgia. He was the second oldest child behind P. W. Merritt (male; 1st name unknown) born about two years earlier CA 1827-1828. His younger brother, William Parks Merritt was born CA 1834 and according to the Roster of Confederate Soldiers of Georgia 1861-1865, served as a private in Company G, 19th Regiment, Georgia Volunteer Infantry, Army of Tennessee, C.S.A., from Henry County, Georgia (2 July 1861). He was appointed color corporal and wounded at Cedar Run, Virginia on 9 August 1962.

M. C. Merritt also had two younger sisters, M. A. Merritt born CA 1836 and Frances E. Merritt born CA 1838. Their ultimate disposition remains unknown (see 1850 Census of Henry County, Georgia, Reel No. 73, page 220, beginning line 14).

Record of M. C. Merritt is next found on the 1860 Census of Barbour County, Alabama where he is in the household of Joseph Goode and family. The census taker in recording "Merit, M. C." lists his age as 27 (error), male and born in Georgia. His occupation was farming with a total financial worth of $5800 (Eufaula #1021). A Merit, W. P. (William Parks?) with age of 25 is listed in the household of Merit, J. H. (Eufaula #1024). The age of this W. P. Merit is the same as M.C.'s brother, William Parks Merritt. Question: Who is Meritt, J. H. and is this W. P. Merritt Mickleberry Clinch's brother?

Our next record of M. C. Merritt comes from his son, Henry Paul Merritt who mentions in his biographical memoranda (found on microfilm under family name "Merritt" in Archives and History Building, Montogomery, Alabama) that his father, M. C. Merritt, "...lived at the place of his birth in Georgia until he moved to Barbour County, Alabama, was in the Civil War, about two years for the Confederacy. He was the son of Henry Clinton Merritt and his wife Jackie Green (surname mistake) who lived at Greene

County, Georgia." Remember from Chapter 7 that Henry Clinton Merritt died in Henry County, Georgia, but much earlier lived in Greene County, Georgia with brothers William and Mickleberry and sisters Elizabeth or Betsy, Evelina and Nancy as children of Benjamin Merritt (Jr.) and Hannah Wade Merritt.

The post Civil War Barbour County, Alabama 1966 Census finds M. C. Merritt living in Township 13, Range 26, with his household checklist showing:

Number	Catagories
2	White males under 10 years of age
0	White males 10 - 20 years of age
1	White males over 20 years of age
1	White females under 10 years of age
0	White females 10 - 20 years of age
2	White females over 20 years of age
0	Soldiers killed
0	Soldiers died of sickness
0	Soldiers disabled

The same T 13 and R 26 census area also shows "Mrs. Merritt" 10021100 with key above and "B. Merritt" 00100000 with key above.

During the same year of 1866 Bullock County was formed from Barbour County but early M. C. Merritt deed records after this date are still found in the Barbour County Courthouse in Clayton, Alabama.

First commercial evidence of M. C. Merritt following the war finds him purchasing "a mouse colored mare mule and a bale of cotton" from J. J. Philips on 13 April 1867 and two days later on 15 April 1867, M. C. Merritt again bought 2 more bales of cotton and "one black mule name Eick" from Randal McIntosh (see Conveyance Records "S" of Barbour County pp. 504-505 found in Probate Room, Courthouse, Clayton, Alabama). While the above involves personal and not real estate property, we can see Mickleberry's initial recorded entrepreneurship into the cotton market. Margin entries on the above contracts are noted as being settled in full shortly thereafter. Considering M.C.'s pre and post war financial solvency with ability to become commercially active would indicate a considerable degree of frugality. My father related a story he had heard that Mickleberry Clinch had given one of his boys a nickel one evening before bedtime. While the youngster slept, M.C. retreived the coin, then spanked the boy in the morning for losing the nickel.

M. C. was married 28 May 1867 to Margaret Elizabeth Owens (see Barbour Marriage Records, Vol. 5, p. 64, found in Probate Room, Courthouse, Clayton, Alabama). She was the daughter of William Howard Owens and Margaret Elizabeth _____. Again,

your deponent humbly requests information on this family line which has to date consumed countless search hours with minimual progress.

Less than a year following their marriage, Mickleberry bought a number of acreage parcels in S 22 T 13 R 26 in Barbour County, Alabama. Note this was in the same Township and Range in which he had purchased personal property a year earlier. The location is about 6 miles east-northeast of Midway, Alabama just inside Barbour County. Midway is in Bullock County. Actually, it is closer to Spring Hill and can be reached by secondary roads (see Comer Quadrangle 7.5 Minute Series Scale 1:24000). Otherwise you'll need a Topographic county map showing secondary roads. You won't find the road on your Rand McNally Road Atlas. (The record of sale can be found in Conveyance Record "T" of Barbour County, p. 467 at the Courthouse in Clayton). Incidentally, there is no earlier record of M. C. in the Grantee Reverse Index 1833-1865 in the above courthouse.

Since, you recall, Bullock was formed from Barbour in 1866 with the above location still in Barbour but bordering Bullock, the bulk of M. C. Merritt's holdings can be found in the Union Springs Bullock County Courthouse records. "Merritt, M. C." is listed as grantee on fifteen mortgage and deed transactions from 1876 to 1891. He remained in the cotton business buying whole crops on various plantations sometimes including horses, mules, two and four horse wagons, and again more real estate when he could. In brief, he became a wealthy man through diligent planning and hard work.

The 1880 census below shows the residence of M. C. Merritt and family being in 1/2 Beat No. 1, Midway (See Bullock County, Alabama Census Roll 3 for 1880).

						Birthplace
Merritt,	M. C.	W	M	50	Farmer	Ga.
	Margaret	W	F	31	wife Keeping house	Ala.
	Felder	W	M	12	son Farm Labor	Ala.
	Belton	W	M	8	son	Ala.
	Paul	W	M	7	son	Ala.
	Marvin	W	M	4	son	Ala.
	Maggie	W	F	1	daughter	Ala.

For your records, wife Margaret Elizabeth was born 6 Sept. 1846 and died 16 January 1936, outliving her husband by 37 years (see below).

While on a recent trip to Midway, Alabama, the following headstone information was recorded in the Merritt family plot behind the Baptist Church:

M.C. Merritt born Sept 6, 1929 died Aug 3, 1898.

Elizabeth Merritt wife of M.C. Merritt
born Sept. 6, 1846 died Jan 16, 1936

Edgar, son of M.C. and E. Merritt
born July 15, 1870 died May 27, 1871

Vallie, daughter of M.C. and M.E. Merritt
born Feb. 14, 1879 died Sept. 17, 1879

Felder L. Merritt born March 10, 1868 died Apr. 11, 1920

Marvin Owen, son of M. C. and M.E. Merritt
born Feb 4, 1876 died Dec 30, 1896

Maggie May Curry, Feb. 14, 1874 Dec. 23, 1943

Annie King wife of Henry P. Merritt
Aug 3, 1874 June 2, 1920

Judge Henry Merritt
June 7, 1874 March 26, 1923

Rosalie Eliz. Tarver (in corner of plot)
Oct 11, 1917 June 16, 1933

Infant son of B.B. and L. Merritt (in other corner of plot)
died Sept 23, 1897
aged 23 days

A copy of Mickleberry Clinch Merritt's will found in Will Book A, pp. 276-278 Bulock County, Alabama Courthouse Probate Room is presented below. Again, the lines are numbered for reference.

State of Alabama I, M. C. Merritt of Midway, Bullock
Bullock County County, State of Alabama, being
of sound mind do make this my last will and testament.

Line

First - I direct that my just and lawful
be paid by my executor herein after (?)
as soon as possible
2nd - I give to my wife M. E. Merritt the lot and
dwelling on which we now live and all the
furniture, fixtures (?) and ornaments (?) and
books contained (?) therein, except the (?)
which I wish my daughter to take at $350.00
said sum to be deducted from her interest (?)
on a fiscal (?) settlement. I also give to my wife
fifty seven (57) acres of land situated at
said town. My wife to have and hold all the
above described property during her life and
at her death to revert back to my children viz. Felder,
Belton, Henry, Maggie and Frank.
3rd - I direct that all of my children have an op-
portunity of a good English Education - My
minor children, viz. Maggie and Frank, to have
an opportunity equal to my children of age, viz.
Belton, Felder and Henry, excepting Henry who
has a professional education the amount for
the same being charged and paid by him at
the amount (given ?) to each of my children
who have arrived at age. The amount given
to each child being two thousand
and sixty dollars in land or money or
property to the (?) thereof.
5th I also direct that the remainder of my estate
be left together with my youngest child, Frank
because of age or marries (?) unless in the judge-
ment of my executor it is advisable to sell
a portion (?) of said estate, my executor to have
power to convey lands, give titles for the
same, ? ? and ? it to the
best interest of my estate
6th After my youngest child becomes of age
there to decide (?) the estate by sales or other ?
? as all concerned may agree. Should my wife
M.E. Merritt be living at this time a competancy
be allowed her over and above the property here -
in above described
7th Should my executor decree it necessary
I direct that he pay to each of my children above
each five hundred dollars to be rendered
in by each one ? (as) a final settlement of my
estate.
8th I hereby appoint my son, Belton B. Merritt,

48 to be executor of this will without bond and
49 without any ? ? commission (2) for receiv (?)
50 ing or paying out money.
51 In testimony hereof I have hereunto
52 set my hand and and seal the 27th day
53 of January 1897 M. C. Merritt
54 Signed published as his last will and testa-
55 ment by the said M.C. Merritt in our presence
56 and we in his presence, and in the presence
57 of each other hereunto subscribe our names
58 as witnesses on the day of the date of said
59 will
60 Witnessed L. E. Corbledge
61 L. H. King
62 T. J. Maddox

Legatees named above include:

line		Comments
4.	My wife M. E. Merritt	Margaret Elizabeth
8.	my daughter	was Maggie May since other daughter Vallie lived only seven months from birth
14.	My children vis. Felder	
15.	Belton, Henry, Maggie, and Frank	Henry is Henry Paul (line 15) Children Marvin, Vallie and Edgar have all predeceased their father.
18.	My minor children, vis. Maggie and Frank	
19.	My children of age, vis. Belton, Felder and Henry	
29.	My youngest child Frank	
47.	My son Belton B. Merritt	

Henry Paul Merritt

While knowledge of Mickleberry Clinch's children is difficult to trace except through Bullock County Court House deeds in Union Springs, Alabama, one son, Henry Paul, definitely retained his father's entreprenurial spirit as we shall soon see.

According to his own biographical memoranda found in the Alabama Archives and History Building in Montgomery, he was born near "Old Spring Hill" on 7 June 1873. This location was probably on his father's original 1868 purchase in S 22 T 13 R 26 previously mentioned. Henry Paul also mentioned that he was edu-

cated in the "common schools in Barbour and Bullock counties, Ala." He later married Annie Seay King on 14 November 1894 in Marion, Alabama. She was the daughter of William Henry King, formerly known as "Capt. Billy King" of Co. K., 62 Alabama Infantry, C.S.A. He was the son of Joseph Benton and Winifred Harrell King, also of Perry County, Alabama. This particular King family line has been traced by your author to Michael King who arrived in Nansmond County, Virginia in 1640 from England.

Henry Paul and Annie Seay had five children:

1. William King Merritt
   b. 17 Aug 1895 (family presented later)
   d. 27 May 1978; wife 1. Lorraine Minga
   2. Marion Gillespie
2. Marvin Owen Merritt
   b. 19 Aug 1898; daughter Ann Merritt
   d. 24 Dec 1977; son Buddy Merritt

3. Henry Paul Merritt
   b. 4 Aug 1900; wife Irene Barker
   d. 3 Jun 1970; son Bill Foster

4. Elizabeth Meritt (Hart)
   b. 11 Oct 1905; husband John Ray Hart (deceased)

5. Elizabeth Merritt (Chaffee)
   b. 11 Oct 1905; husband Guy Willard Chaffee
   son Wendell Chaffee
   son Merritt Chaffee
   daughter Sue Ann Chaffee

Although Henry Paul initially received 130 acres of land from his father and mother for "love and affection" on 1 July 1984 in Bullock County (see Bullock County Deed Record I, page 491), the bulk of Henry Paul's land transactions took place around Tuskegee in Macon County, Alabama, where his political career really was established. You'll find that from 1902 to 1919 he is listed as a grantee on forty-four occasions, sometimes in partnerships indicating a high energy level in real estate. He must have been constantly "on the move" for there are another twenty recorded sales contracts as grantor between 1899 and 1922.

All this real estate and farming activity was going on while his political career was beginning to blossom as found in the below publication also found in the Alabama Archives:

Note that the information is essentially the same since the writers obviously drew upon his biographical memoranda, but there are differences in the two presentations.

Dictionary of Alabama Biography
Thomas M. Owens
pp. 1191 - 1192

MERRITT, HENRY PAUL, lawyer, planter, legislator and jurist, was born June 7, 1873, near Old Spring Hill, Barbour County; son of Mickleberry Clinch and Margaret Elizabeth (Owens) Merritt, the former a native of Henry County, Ga., but removed later to Barbour County, soldier of the Confederate Army, serving for two years; grandson of Henry Clinton and Jackie (Green) Merritt, who lived in Greene County, Ga., and of William Howard and Margaret Elizabeth (Owens) Owens of Palmyra, Ga., who afterwards removed to Texas. Judge Merritt was educated in the common schools of Barbour and Bullock Counties, and at the Southern university, Greensboro, attending the latter institution, 1890-91. He studied law at the University of Virginia and was admitted to the bar, November 30, 1893, but did not actively enter the practice until 1896, when he located at Tuskegee, where he has since resided. He served in the Alabama State senate from the twenty-sixth district, 1907; in the house of representatives, 1911, 1915, and 1919, and was speaker of that body during the latter year. He was a member of

the joint committee on the Code of Alabama, 1907; appointed judge of the court of appeals, November, 1919, by Gov. Thomas E. Kilby, and elected to succeed himself in that position, 1920. He has been a trustee of the Alabama schools for the deaf and blind. While speaker of the house of representatives, 1919, he introduced and passed an act creating the Alabama memorial commission, to erect a memorial to Alabama and Alabamians in the European War. He registered for military duty during the European War but his class had not been called when the war ended. Married: November 14, 1894, in Marion, to Annie Seay, daughter of William H. and Martha (Toland) King, who lived at that place. Children: 1. William King, captain Co. K, 328th infantry, American Expeditionary Forces, wounded three times in the Argonne; 2. Marvin, in Camp Hancock, Augusta, Ga., and ready for overseas service when the armistice was declared; 3. Paul, in Camp Greenleaf, Fort Oglethrope, Ga., also ready for overseas duty when the war ended; 4 and 5. Evelyn and Elizabeth, twin daughters. Residence: Tuskegee.

Please also note from the above that Henry Paul introduced the bill creating the commission responsible for what is today the beautiful Archives and History Building next to the capital in Montgomery. A portrait of Henry Paul Merritt hangs in the Archives.

HENRY PAUL MERRITT,* of Tuskegee, judge of the Court of Appeals, was born near Old Spring Hill, Barbour county, and is the son of M. C. and Margaret Elizabeth *(Owens)* Merritt, and the grandson of Henry Clinton and Jackie *(Green)* Merritt, and of William Howard and Margaret Elizabeth *(Owens)* Owens, who lived first at Palmyra, Ga., and afterwards in Texas. M. C. Merritt was born in Henry county, Ga., removed to Barbour county, and served two years as a Confederate soldier. Judge Merritt was educated in the common schools of Barbour and Bullock counties, and attended one year at the Southern University of Greensboro, 1890-91. After leaving college he entered the law department of the University of Virginia, where he took a one year's course, and also a summer course; admitted to the bar November 30, 1893, but did not actively enter upon the practice until 1896, when

he removed from Bullock county to Tuskegee. In 1911 he represented Macon in the Legislature of Alabama, serving again in 1915 and 1919. He was Speaker in the 1919 session, resigning on his appointment to the Court of Appeals, October 23, 1919. Re-elected 1922 for six years. He is a Democrat; and has served as chairman of the Macon county executive committee; and is a member of the Masons, of the Knights of Pythias and of the Red Men. He served at one time as a trustee of the Alabama Schools for the Deaf and Blind. He was a member of the joint committee on the *Code of Alabama*, 1907. On November 14, 1894, in Marion, Ala., he married Annie Seay, daughter of William H. and Martha King.

Henry Paul eventually suffered declining health and died after nearly five months illness at the Tennessee Coal, Iron and Railroad Company's Hospital at Fairfield, Alabama on 26 March 1923. The most comprehensive coverage relating to his demise was found in the Montgomery Advertiser, Tuesday, March 17, 1923, on microfilm in the Archieves Building (See Merritt family). Otherwise the below article is offered for your information.

TUSKEGEE NEWS

)evoted to the Best Interests of Macon County and It's Citizens."

of the Best Cattle Raising, Fruit Growing and Farming Section of Alabama.

Tuskegee, Macon County, Alabama, Thursday, March, 29· 1923

JUDGE HENRY P. MERRITT DEAD

After months of illness which baffled the skill of many physicians Judge Henry P. Merritt died at a Birmingham hospital Sunday night about midnight. Several friends from here visited him during his last sickness and were struck by the courageous way in which he stood his sufferings. He would send word to his hosts of Macon county friends that he was doing his best to hold to the rope, but that it got awful slippery at times.

The deceased came to Tuskegee about 25 years ago and by hard study and close attention to his tasks he built up a splendid law practice. When elected to the State Senate and later to the House of Representatives he was accorded the leadership. he stood by the majority in its fight for prohibition and for forward movements in Education. His name became associated wi.h every movement looking to making Alabama better and greater. When a vacancy occurred in the Appellate court, Gov. Kilby gave him the place. He served with such ability that he was nominated without opposition for the new term which began last January. He was cut down in the zenith of his useful life, and we mourn the death of one who bade fair to have his name written among the liats of the great Judges whose opinions made the courts of Alabama honored, respected and used by all of the courts of last resort of the United States. He leaves of his immediate family, his mother, wife, 3 sons and 2 daughters. To each of these we tender our deepeat sympathies and join his hundreds of friends from the state at large in mourning the early departure of a friend and brother.

The entire Bar of Tuskegee were named as honorary pall bearers to assist in the last rites as his body is laid to rest in the church yard of his old home at Midway on the morning of the 28th. He was a life long member of the Methodist church, a member of the Masonic lodge and Knights of Pytheas. Dr. Spraggin, pastor of Court St., Methodist church officiated at the burial.

—oOo—

Henry Paul Merritt was indeed a remarkable individual and the same characteristics of drive and determination (do we dare say "Type A" profile?) were passed on to his first born son, King Merritt who chose the financial arena in which to make his mark in the sands of time. He was indeed known as a "salesman's salesman" and more than any other individual brought Wall Street to Main Street in the United States. The below is found in Encyclopedia of American Biography, Vol 2, The American Historical Company, Inc., New York - West Palm Beach, 1961, pp. 4-7.

MERRITT, King

An international reputation in the investment field has grown from King Merritt's vital and unwavering interest in mutual funds. He has built the largest mutual fund sales organization to do business on a world-wide basis. King Merritt and Company has more than two thousand representatives in forty-seven states and sixteen foreign countries, selling securities all the way from Hong Kong to Germany. His goal for the future is in keeping with his achievements in the past: "I want to sell mutual funds in every country in the free world as quickly as I can. I believe there is a big future for the sale of mutual funds in foreign countries."

Born at Marion, Alabama, on August 17, 1895, King Merritt is a son of a distinguished lawyer and judge, Henry P. Merritt, and Annie Scay (King) Merritt. His father was born near Old Spring Hill, Barbour County, Alabama, on June 7, 1873, son of Mickleberry Clinch and Margaret Elizabeth (Owens) Merritt. He attended local schools and during 1890-1891 was a student at Southern University in Greensboro. Studying law at the

University of Virginia, he was admitted to the bar in 1893, but did not enter practice until 1896, when he located at Tuskegee. There he practiced until appointed to the appellate court, when he moved to Montgomery. He served in the State Senate from the 26th District in 1907, and in the House in 1911, 1915, and 1919, being speaker in 1919. He was a member of his state's Joint Code Committee in 1907. Appointed judge of the Alabama Court of Appeals by Governor Kilby in November, 1919, he was elected to succeed himself the following year, and in 1922 was elected to a term of six years. He still occupied the bench at the time of his death. In his private practice of law, he had been attorney for Booker T. Washington, the distinguished Negro educator.

Miss Annie Seay King, whom Judge Merritt married on November 14, 1894, was the daughter of William H. and Martha (Toland) King. The King family had been prominent in Mississippi for many years. A cultured woman, Mrs. Merritt possessed exceptional talent in art. Besides their eldest child, King, Judge and Mrs. Henry P. Merritt were the parents of two other sons and twin daughters. They are: Marvin Merritt of Talladega, Alabama; Paul Merritt of Vicksburg, Mississippi; Evelyn Chaffee of Portland, Oregon; Mrs. Elizabeth Hart of Washington, D. C.

After attending a school at Bell Buckle, Tennessee, King Merritt studied at Branham and Hughes Preparatory School in Springfield, in the same state. At the time of World War 1, he entered the United States Army, and served as captain of a company in the 328th Infantry Regiment, 82nd Division. Two famous fighting men, Sergeant York and Colonel Frank Williams, were also in this division. Captain Merritt received three wound chevrons, and he obtained his honorable discharge in 1919.

Immediately after his return from military service, he entered the investment field, joining Investors Syndicate of Minneapolis, Minnesota. In the course of his twenty-six years with this organization he was successively salesman, district manager, regional manager, general manager, and finally vice president and director. During his association with Investors Syndicate, he helped build a nationwide sales staff numbering four thousand.

In 1946 he resigned to form his own organization, King Merritt and Company, Inc., of New York City. The organization is now merged with the Channing Corporation of California. King Merritt is president and a director of King Merritt and Company, Inc. He is also president of King Merritt and Company (Canada) Ltd., with offices throughout the Provinces, and King Merritt y Cia de Mexico S.A. de C.V., which is located in Mexico City.

King Merritt and Company, Inc., sells a hundred different open-end funds, but eighty percent of its business is in the Institutional Shares group (which consists of the Institutional Foundation, Institutional Growth, Institutional Bank and Institutional Insurance Funds) in addition to the Institutional Income Fund and the Canadian International Growth Fund. As recently as 1952, the assets of these funds were eight million dollars. Today they exceed two hundred million.

In his drive to educate a world-wide public on the advantages of mutual funds,

King Merritt has lately spent much of his time in travel. Within a recent twelve-month period, he logged sixty thousand miles. He maintains steady personal contact with his far-flung representatives and their customers. His formula for progress in his business is to "Walk, talk and tell the truth," throughout the United States and Canada and the rest of the civilized world. Americans he has contacted abroad include engineers and oil field workers in the Middle East, and military personnel and civilians stationed in Western Europe and elsewhere where our armed forces are to be found. In this country, the press in many cities has lauded him, on the occasions of his lecture appearances, for his forthright and convincing words on behalf of mutual funds as a hedge against ever-rising inflation. He has pointed to inflation as a major threat to the future of the average American, if it goes unchecked, and he calls upon his audiences to take constructive steps to discourage waste in government, business and industry. He approaches just as dynamically the problem of building and enlarging his own organization. In an interview in Fresno, he remarked, "I am more or less on a continuous recruiting campaign for people who want to go into this business." He has pointed out that the mutual funds idea is growing rapidly in all countries of the free world, particularly in Germany and England, and he gives inflation as the reason for this. At least fourteen billion dollars is now invested in mutual funds, the fastest-growing segment of the financial world; and many of the customers are attracted from fixed securities, such as government and municipal bonds, because inflation is making the value of their returns uncertain. These buyers of the funds, individual and organizational, now total four millions. The significance of King Merritt's own role in the growth picture is realized by financial writers all over the country, who have acclaimed him one of the foremost salesmen of investment funds.

In addition to his active role in the management of his own and subsidiary companies, King Merritt serves on the boards of directors of Channing Corporation, Commonwealth International Corporation, Ltd., Institutional Income Fund, Inc., Institutional Shares, Ltd., and Leverage Fund of Canada, Ltd. While heading a business with headquarters in New York and branch offices in many cities, he prefers to maintain his own permanent residence south of the Mason-Dixon line, at West Palm Beach, Florida. He has two large cattle ranches at Vicksburg, Mississippi. As a raiser of championship Black Angus cattle, he is a member of the Aberdeen Angus Cattlemen's Association.

King Merritt has won a nationwide reputation as a lecturer, speaking easily and succinctly in a voice which has never lost a trace of its southern accent. A San Francisco newspaper once reported on one of his speeches, filled with statistics, sales pitch and funny stories, commenting that it was delivered with the "easy flow, fervor, and ready quip of the Southern revivalist." In his younger days Mr. Merritt played baseball, football and polo.

On December 20, 1920, King Merritt married Lorraine Minga, who was born on August 27, 1903, at Crowley, Louisiana, daughter of Mr. and Mrs. James Alexander Minga. Mrs. Merritt, who is now deceased, won a wide reputation

as an artist. She studied with Jerry Farnsworth of Cape Cod and Sarasota, Florida, and with good perception of her own talents, chose the field of portraiture in which to concentrate. Within a few years' time she had won recognition in the art world, and had received commissions from a number of foremost Americans in various walks of life. She painted President Eisenhower; Dr. Daniel Z. Gibson, president of Washington College; and Colonel Frank M. Williams, World War I hero. One of her treasured possessions was a letter from the White House signed by Mrs. Eisenhower, acknowledging her receipt of a color reproduction of the portrait of the President with the words: "I appreciate your gracious thought. It is a pleasure for me to accept this gift and I wish to thank you for sharing your work with me. I shall enjoy having this picture." In all, she completed more than thirty commissioned works. She was a graduate of All Saints' College, Vicksburg, Mississippi.

King and Lorraine (Minga) Merritt became the parents of three children: 1. Margie, who was born on December 19, 1921. 2. Betty, who was born on July 9, 1925. A graduate of Foxwood School, she is now married to Major L. B. Hardy, a graduate of the United States Military Academy at West Point and a career army officer. 3. King, Jr., born November 11, 1933. A graduate of Washington College, he took postgraduate courses at the University of Miami, and now teaches at a high school in Miami. He married Betty Blanton of Elkton, Maryland.

In brief, the following is an update of the above.

King Merritt

B. 17 August 1895
W. Marion, Ala.
M. (1) 20 Dec. 1920
(2) August, 1969 Marion Gillespie
W. Vicksburg, MS.
D. 27 May 1978
W. Vicksburg, MS. (Buried Hillcrest Memorial Park Lake Worth, FL.)

Lorraine Minga Merritt

B. 27 August 1903
W. Crowley, Louisiana
D. 16 January 1958
W. Lake Worth, FL (Buried Hillcrest Memorial Park Lake Worth, FL.)

Children

(1) Margie Merritt (McClatchie)

B. 19 December 1921
W. Miami, Oklahoma
M. (More than one)
D. 26 June 1974
W. Vicksburg, MS. (Buried Hillcrest Memorial Park Lake Worth, FL.)

(2) Betty Merritt (Col. Leslie Boone Hardy, Jr., U.S.A. Ret. 026003)

B. 9 July 1925
W. Birmingham, Ala.
M. 29 September 1943
W. Dallas, Texas

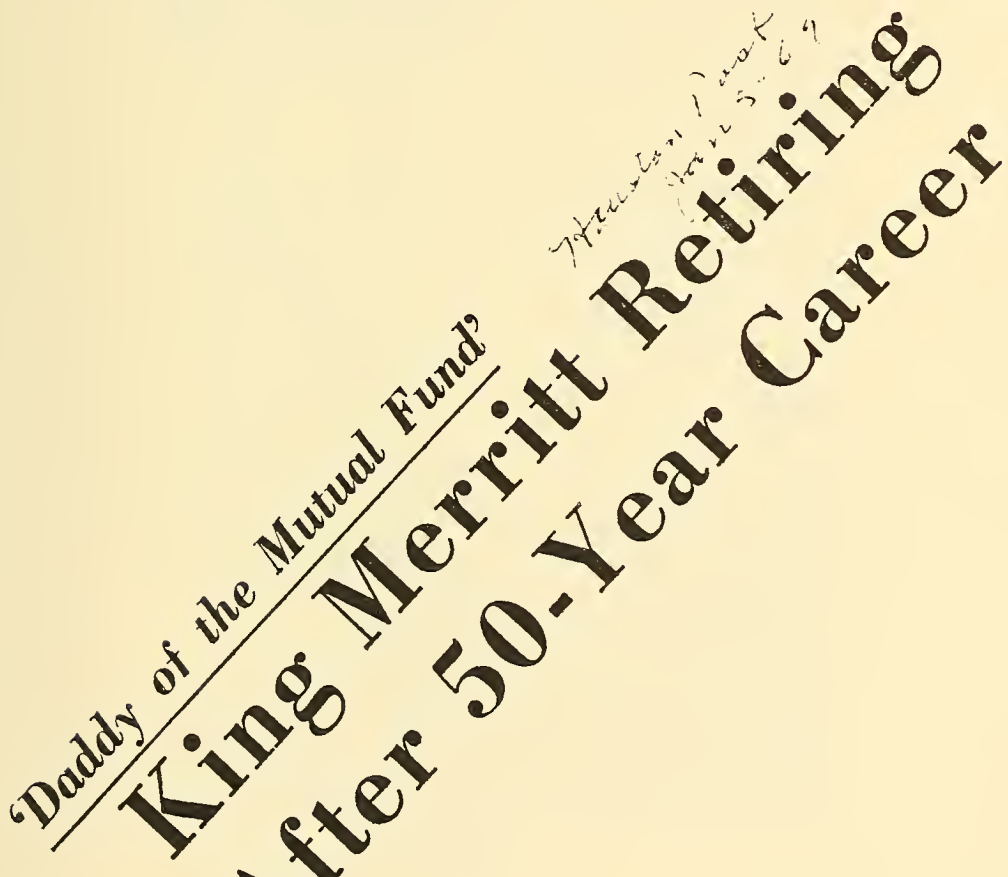
Children: Joyce Hardy
Leslie Hardy
Linda Hardy
William (Bill) Hardy

(3) King Merritt, Jr. (Betty Margaret Blanton)

B. 11 November 1933
W. Minneapolis, Minnesota
M. 4 August 1956
W. Elkton, Maryland

Children: Lorraine Merritt
King Merritt, III

Condensing a "ground breaking", energy packed life of an extraordinary man, and at the same time terminate nearly four years of research has prompted considerable cogitation before elucidating. Let's face it, how do you finish a book like this? Since King Merritt's career can literally be followed by countless news releases through the years, perhaps it would be appropriate to conclude this effort in an unusual manner with a release by the Associated Press and which appeared in the Houston Post on 5 January 1969. The last paragraph especially underscores the truly pioneering nature of King Merritt who liked to leave people with a smile on their face. Besides, I'm sure another earlier pioneer, Charles Merritt, would approve.


'Daddy of the Mutual Fund'
King Merritt Retiring
After 50-Year Career

VICKSBURG, Miss — (AP) — King Merritt, a super-salesman called by some the Daddy of the Mutual Fund, is retiring after a 50-year career that has made him a millionaire and made the stock market important to countless thousands of people. He doesn't want to stop working.

A rugged-looking man with a deep tan and an easily-triggered laugh, Merritt seems to have the knack of turning anything he touches into big money—things like beef cattle, dairy goats or real estate. He treats these lucrative enterprises in casual fashion: It is the subject of mutual funds that brings out his real enthusiasm.

STANDING IN the late afternoon sunshine, looking down at a stand of young pecan trees on his 1,000-acre Black Angus cattle ranch on U.S. 80 outside Vicksburg, Merritt spoke of his philosphy of investment.

"See those pecan trees down there? They're pretty and they're growing. And anything that grows is a good investment. That's why the mutual fund is so important; it lets anybody participate in the growth of this country."

He is a director of the Channing Corp, which controls several mutual funds and is a giant in the field. Merritt retired from active business life Jan 1, when Channing was acquired by American General Life Insurance Co of Houston. He is 73, but has the vitality of a man 10 years younger.

I THINK they're wrong in not keeping men of my age," he told a visitor. A wide smile creased his face. "I still have a lot of life, and I don't see why they don't keep a guy like me."

He then told of plans to take his 47-foot yacht out from the beach for a month-long cruise this month. Travel has been part of Merritt's life for decades. He has piles of press clippings from places like Hong Kong, Brussels, Bogota and Athens. Last year he logged 126,000 miles.

Merritt's fame, and he has plenty of it in finance, results from his spectacular success in selling the concept of mutual fund investment to the average person. Not only did he carry the mutual fund concept to the "guts of America," as he put it, but he also took it around the Free World, establishing sales offices in 16 countries.

"MY WHOLE life has been the sales pitch," he said, speaking in his one-story, redbrick ranch house, surrounded by oil paintings done by his late wife. "I'm not smart enough to select the stocks my company buys; we hire professionals to do that."

As a pioneer in the mass-selling of stock ownership, Merritt played a key role in the enormous boom in the stock market in recent years. The Channing Corp, which is not the largest in the business, sells about $15 million in mutual funds each month, and handles close to $1 billion of investors' money.

Merritt's first affiliation was the Investors Syndicate of Minneapolis — now known as Investors Diversified Services — which started mass selling of mutual funds about 1940. In 20 years prior to that time, Merritt sold installment contracts, the predecessor of the mutual fund.

"OUR COMPANY was the leader in the field in going out to the public," Merritt said. "That's the only excuse I've ever had for being big in the business — I went to the public with something that nobody else was going with."

As general sales manager, he organized a team of thousands of salesmen to push

KING MERRITT
Super Salesman

mutual funds, then virtually an unknown commodity. In 1946, he formed his own mutual fund sales organization, King Merritt Co, and had 4,000 salesmen under his command around the world.

"I TOLD them to walk, talk and tell the truth," Merritt said. "If a salesman can't do that, I don't want him. He's got to have character."

As his men began spreading the gospel of the mutual fund Merritt took on the challenge of fighting opposition from banking interests and insurance companies.

"I went to 22 state legislatures in three years to explain mutual fund investment, and to show how the insurance agents had been making a false case against us. It was pretty brutal, but the criticism made us. You criticize me enough, and somebody will like me. The banks and the insurance companies made the mutual fund business.

"TO SELL mutual funds, we would show people how they could participate in the growth of their country, and their money had a chance to grow. A mutual fund is a simple method of buying an interest in those companies that take your money — the grocery, the light company, the heating company, the car marker. Most people don't have enough money to buy shares of stock outright, but they can invest $20 or $30 a month in mutual funds and participate that way."

What does he foresee for the mutual fund business?

"I SEE a tremendous expansion of it. I think the mutual fund is going to be one of the greatest forces America has ever seen. I predict that the larger companies will be broken up into smaller units, because they will be easier to manage."

Merritt is a grandfather now. He spends much time on his Vicksburg ranch, riding his Tennessee walking horse, strolling through the woods, and "prettying up" the place to please himself — and also make it more valuable. He is a native of Marion, Ala, and is as familiar with Beach society or Barclays Bank in London as he is with Mississippi cattlemen.

"I can get along with anybody," he said with a grin. "I can pronounce the broad "A" or throw beer bottles, as the occasion demands."

Author's Post Script

With the above final paragraphs "broad A" and "beer bottle" guidelines for success in today's world, our final chapter draws to a temporary close on a cheerful note. Indeed, the entire effort within these covers has been a joyful undertaking despite running into countless "dead ends." But then, the purpose was essentially exploratory in nature with you, the reader, left in a position of accepting, rejecting, or correcting the findings and interpretations in Charles Merritt. Questions still abound. Where did Charles come from? Who were his parents and where did they come from? What was Ellinor's maiden name and where did they live? You see, the questions can go on and on, yet that's the fun of it all, searching and sometimes finding something; just like eating peanuts. It's your turn now. If you're interested in researching the Merritt family, you'll need an 8½" x 14" note pad and plan to head for the library after your next "break". After all, this is.....

To Be Continued...

Appendix
A

Bacon's Rebellion and Deposition of Alice Marriott

Surry County so far seems to have been united. We now come to the turbulent days of mid-September, 1676, when Berkeley's and Bacon's forces clashed in open war, and Surry County, like many others was split between Berkeleians and Baconians. Early in September, when Bacon and his wearied troops returned from the expedition against the Pamunkey Indians in the swamps of what is now King and Queen County, he found that Berkeley had by a ruse captured the small fleet sent against him, and himself embarking with troops on a number of ships, had reentered and seized Jamestown on September 7th or 8th. Bacon hastened to the capital city and laid seige to it. Between September 15th and 18th (the exact chronology is difficult to follow), Berkeley's troops finally sallied out of town and attacked Bacon's forces, but were defeated and withdrew in confusion. The Governor, finding he could not rely on his troops, became disheartened, and sending word to a number of the ruling class on both sides the river that all was lost, secretly embarked in the night, and with a large number of the wealthier people, took refuge a second time on the Eastern Shore. On September 19th Bacon entered Jamestown, and feeling that it was not defensible against ships, burned it to the ground, that it might not again become a stronghold of the Governor and his fleet. At the same time his followers seized and occupied strategic buildings (usually the homes of wealthier planters) in the various counties, and took over the county governments. Thus Bacon and his men, now distinguished more prominently than ever as "the poor" in contradistinction to "the rich", became absolute masters of most of Virginia.

In Surry County we are told that "all the great ones" went away with Berkeley on his second flight, leaving the county to Bacon's men, with the exception of Col. Thomas Swann, who apparently remained calmly at his home at "Swann's Point." It is probable, also, that Col. Swann's son, Capt. Thomas Swann, remained in the county. We have mentioned that Col. Swann signed both "Declarations" in favor of Bacon early in August. His son, Capt. Swann, was the son-in-law of William Drummond, a Scottish gentleman who lived at Jamestown, who had once been Governor of North Carolina, who was one of the Bacon's most ardent supporters and best advisers, and who was finally executed in a brutal manner and his family terribly persecuted by Governor Berkeley after his final victory. Col. Swann was certainly suspected by some of Baconian partisonship, as indicated by the following deposition of Alice Marriott, wife of Matthias Marriott and daughter of Thomas Warren, builder of the "Warren House" and former Burgess from Surry (Book 2, p. 149):

> "Deposition of Alice Marriott, aged 32 years, or thereabouts, sworne saith:

"That about the middle of last Febry your deponent being at the house of William Foreman, in the company of William Foreman and his wife, Lawrence Meizle, Katherine Witherington and Thomas High; said Thomas High began a discourse about the late Rebellion and plundering, Katherine Witherington made answers that the great ones went all away and left the poor ones and they were forced to do what they did. No said Thomas High, 'the Great Toad tarried behind', and one of the company asked Thomas High who he meant by 'the Great Toad'. He replied he meant Col. Swann, the old rebel and traitor, your deponent knows not which. Your deponent made answer she never heard Coll. Swann did meddle or make in the late troubles. "No' said he, when Coll. Swann sent a note to Mr. Bishop by Christopher Foster to raise men and come down with them to stop the Governor's men, the horses, saddles and bridles of ours would have been taken had it not been for Colonel Swann.

"Katherine Witherington made answer again that he might hold his tongue for his saddle was saved by her sister, and further your deponent did hear Thomas High say that Swan did send for a boate load of apples from Mr. Masons, for that he thought Mr. Mason would never come again. That Thomas High said Coll. Swann did sit in the Council of War for burning the town and when the Governor went away from town he sent for Coll Swann but he would not come to him. As soon as Bacon came to towne he would take a boate and go over to him and he hoped Coll. Swann would be plucked bare.

"Sworne Nov. 15, 1677."

Much of the above is probably malicious slander by Thomas High, who had formerly been one of Bacon's men. It is true, however, that Col. Swann did stay in the county, and that he did not allow himself to be thrown into a panic by Berkeley. The county might have been better off had more of the prominent men stayed at home. As it is, we are not certain that literally all the Justices and officials left with Berkeley. The only ones of whom we are certain are Arthur Allen, Robert Caufield, John Solway, and Francis Mason, who later prosecuted a number of people for seizing their houses during the Rebellion and appropriated their property. Probably others went, too. Col. Swann did not suffer for his conduct later on. When the Royal Commissioners arrived in Virginia late in January 1676/7, to investigate the rebellion and make a report to the King, the Governor refused to entertain them at his home, "Green Spring", in James City County (Jamestown being destroyed), and Col. Swann offered them the hospitality of his home at Swann's Point across the river, which they made their headquarters during their stay in the colony. In the Minutes of the Council of Trade and Plantations, at a meeting held at Whitehall December 6, 1677 it was recommended that certain "rash and fiery men" be excluded

from the Governor's Council of Virginia, but that Col. Swann be continued in office. It was also mentioned that the Governor refused to receive His Majesty's Commissioners into his home, and recommended that "Col. Swan be recommended to Col. Jeffreys (the new Governor) for some reward for his kindness and expense in doing so" (Calendar of Transcripts, Va. Dept. of Archives, Vol. XVII, Sainsbury Transcripts, pp. 99-100).

Source. John S. Boddie, Colonial Surry, Southern Book Co., Baltimore, 1959, pp. 122-124.

Appendix
B

STATE OF GEORGIA

THIS INDENTURE made this twentieth day of November in the year of our Lord one thousand seven hundred & ninety eight & in the twenty third year of the Independance of the United States of America Between William Merritt of the one part & Benjamin Merritt of the other part WITNESSETH that the s^{d} William Merritt & in consideration of the sum of Twelve hundred & fifty Dollars lawful money of the s^{d} State to him hand well & truly paid by the s^{d} Benjamin Merritt or before the sealing & delivering of these presents the receipt whereof is hereby acknowledged have granted bargained sold released & confirmed & by these presents doth grant bargain sell release & confirm unto the said Benjn Merritt his heirs & assigns a certain tract or parcel of land containing three hundred & forty eight acres be the same more or less situate lying & being on Sherrill's Creek in the county of Oglethorpe being part of a tract of seven hundred & thirty acres formally belonging to Little B Bostwick being the upper part of said Survey and the line of division beginning on or near the Creek on a White Oak runing North forty two West one hundred & eight chain to a post Oak TO HAVE AND TO HOLD the aforesaid tract or parcel of land with all & singular its rights & appurtenances and I the Said William Merritt do by these presents bind myself my heirs & assigns unto Benjn Merritt his heirs & assigns to warrant & forever defend the aforesaid land with all & singular its rights & appertenanes to their only use & behoof in a right of fee Simple for ever IN WITNESS whereof I have set my hand & Seal the day & year first above written.

Signed Sealed & Delivered in presence of

W McGiboney

Wm Merritt (Seal)

Thomas Wagnon

The above deed was acknowledged before me this 9th day of Sepr 1799

Jesse Lacey J.P.

Greene County)
(Recorded the 9th day of Sepr 1799
Celrks Office)

Tho Carleton Clk.

GEORGIA, GREENE COUNTY:

I, Patricia B. Tice, Deputy Clerk of the Superior Court, Greene County, Georgia, do hereby certify that the within is a true and complete copy of the original record as is found in the Clerk's Office of Said County and State, and hereto I set my hand and affix the Seal of Said Court this 17th day of June, 1985.

Patricia B. Tice

Appendix
C

THIS INDENTURE made this ninth day of September one thousand seven hundred and ninety nine BETWEEN Thomas Wagnon Eleanor Wagnon & Cuthbert Coleman Jointly all of the State of Georgia Greene County of the one part and Benjamin Merritt of s^{d} County & State aforesaid of the other part WITNESSETH that in & for the sum of three hundred and eighty one dollars to us in hand paid by the said Benjn Merritt the receipt whereof hereby acknowledged by us the s^{d} Thos Wagnon Eleanor Wagnon Cuthbert Coleman Hath bargained & sold & do by these presents grant Bargain sell & confirm unto the s^{d} Benjamin Merritt a certain tract or parcel of land lying & being in Greene County & State aforesaid on the Waters of Sherrills Creek begining on a Stake runing Suth eighty six west thirty five chains till a small red oak thence North twelve west twenty five chains till a poplar on a branch thence South sixty west up s^{d} branch twenty seven cha^{s} & fifty lengths till a Spring struck in the center of the s^{d} Spring thence South seventy west nine chain till a black oak thence Suth seventeen east nine chains & fifty links till a Spanish Oak thence South nineteen chains and seventy five links till a maple on a branch thence down s^{d} branch as it meanders till the begining stake containing by estimation one hundred & Seventy seven acres be the same more or less bounded by McIntosh's land David Sherrills & Jason Cargails land and we the said Thomas Wagnon Eleanor Wagnon & Cuthbert Coleman do by these presents bind ourselves our heirs Exors Admin^{s} & assigns unto the said Benjn Merritt his heirs or assigns to Warrant and forever defend the aforesaid parcel of tract of land with all & singular its rights & appurtenances from all manner of person or persons to his & their only use & behoof in a right of fee simple IN WITNESS whereof we have set out hands & Seals the day & year first above written

Signed Sealed & delivered In presence of	)	Tho Waggnon (Seal
	(	
Jesse Lacey J.P.	)	Eleanor Waggnon (Seal)
	(	
John McGibbony	)	Cuthbert Coleman (SEal)

Recorded the 9th day of Sepr 1799

Tho Carleton Clk

GEORGIA, GREENE COUNTY:

I, Patricia B. Tice, Deputy Clerk of the Superior Court of Greene County, Georgia, do hereby certify that the within is a true and complete copy of the record as is found in the office of the Clerk of Said Court in Said County and State and hereto I set my hand and affix the Seal of Said Court this 17th day of June, 1985.

Patricia B Tice

Appendix
D

THIS INDENTURE made this Tenth day of November Eighteen hundred Between Benjamin Merritt of the State of Georgia County of Greene of the one part and James Roach of S^{d} State and County aforesaid of the other part Witnesseth that for and in consideration of the Sum of Three Hundred Dollars to me in hand paid the receipt whereof I do hereby acknowledge hath bargained & sold and do by these presants Grant bargain & Sell unto the Said James Roach a certain Tract or parcel of land lying being In the County of Greene and State aforesaid on the waters of Sherrils Creak beginning at a Stake on a branch Running North Twelve west thirty five chains Seventy five links to a poplar and Cargiles Spring branch thence South Sixty west twenty seven chains and fifty links to a spring striking the middle of Said Spring from Thence South Seventy West nine chains to a black oak on Levy Gatlins line Thence South Seventeen East Nine Chains and fifty links to a Spanish Oak, Thence due South Nineteen Chains and Seventy five links to a Sweet Gum an a branch thence down the middle of Said branch to the beginning State Bounded by Gatlin Cargil & Merritts land Containing by Estimation Ninety Eight & half acres be the same more or less and I the Said Benjn Merritt do by these presents bind myself heirs Ext^{rs} Adm^{rs} or assigns to warrant the aforesaid Tract or Parcel of land with all and singular its rights & appurtainances unto the Said James Roach his heirs or assigns from all manner of person or persons to his and there only use and behoof in a right of Fee simple forever. In witness whereof I have Set my hand and Signed Sealed and delivered in presents of

W^{m} McGibbony Benjamin Merritt (Seal)

Robert Beasley, Acknowledged before me
Jeffrey Lacy, J.P.

Recorded the 13th November 1807 Henry Carleton for Thomas Carleton Clk.

GEORGIA, GREENE COUNTY:

I, Patricia B. Tice, Deputy Clerk of the Superior Court of Greene County, Georgia, do hereby certify that the within is a true and complete copy of the record as is found in the office of the Clerk of Said Court in Said County and State and hereto I set my hand and affix the Seal of Said Court this 17th day of June, 1985.

Patricia B. Tice

Appendix
E

This indenture made this twentieth day of August in the year of our Lord one thousand seven hundred and eighty eight between Benjamin Merritt and Anne his wife of the County of Wilkes of the one part and Benjamin Goss of the aforesaid County of the other part witnesseth that the said Benjamin Merrit and Anne his wife, for and in consideration of his the said Goss paying to the said Merrit ninety seven specie paid to the said Merrit for the premises hereby conveyed the receipt whereof I do hereby acknowledge I the said Merrit have granted, bargained, and sold and by these presents do grant, bargain and sell, alien, release, and confirm unto the said Benjamin Goss, his heirs and assigns a certain tract or parcel of land containing two hundred and fifty acres be the same more or less situate, lying, and being on the North side of Ceder Creek and binding on the same beginning on the bank of said Creek where Jesse Willingham's line crosses said Creek thence down said creek to Samuel Nelsons line N. 54, E. to a pine corner thence N. 3E 25 to a red oak corner N. 86 W. 38 to a pine corner thence S. 70 W. to the beginning togather with all building and improvements whatsoever and the reversions, remainder and remainders, of the said land and premises and also all the right and Title interest claim and demands of me the said Benjamin Merrit and Anne his wife To have and to hold the above mentioned land and premises unto the said Benjamin Goss and his heirs and assigns forever and to the only proper use and behoof of said Goss and to no other intent or purpose whatsoever and we the said Benjamin Merrit and Anne his wife for themselves, their heirs and assigns the above mentioned land and premises with ye appurtenances unto the said Benjamin Goss we will and shall forever warrant and defend from all person and persons whatsoever laying any claim or title thereunto by these presents.

In witness whereof we the said Benjamin Merrit and Anne his wife have set our hands and affixed our seals the day and year above written.

Signed, sealed and deliverod in presence of

Charles Goss
Wm. Key
Christoper Clark
Ths. B. Scott J. P.

Benjamin Merit (L. S.)

her
Nancy X Merit
mark

Georgia

Received the day and year within written the within mentioned sum of ninety seven pounds being the consideration money within mentioned we say recd.

Benjmmin Meret

Test:

Chs. Goss
Christoper Clark
Wm. Key
Thos. B. Scott J. P.

Registered the 1st of June 1790

November 2, 1811

This indenture made this second day of November one thousand eight hundred eleven between Nathan Hackney of the State of Georgia, Greene County, of the one part and William Merritt, Junior of said State and County aforesaid of the other part witnesseth that in and for the consideration of $300.00 to me in hand paid the receipts whereof is hereby acknowledged hath bargained and sold and do by these presents grant, bargain, sell and confirm unto the said William Merritt, Junior, a certain parcel of land lying and being in Greene County and State aforesaid on Sherelle Creek butting and bounding as follows beginning at a red oak running with Henry C. Merritt's dowry or legacy line until it strick William Merritt, Sr. line running North 42 West and corner on a Mulberry stake thence running with the said William Merritt's Line to another Mulberry stake, thence running a direct line with William Merritt Jr's. dowry or legacy line to a white oak on Robert Beasley's line from thence from Evelina Merritt's dowry or legacy line to the beginning containing forty-five acres its being my wife's dowry or part of the land belonging to the estate of Benjamin Merritt dec'd. To have and to hold the above said tract of land with all and singuler the rights and advantages and profits thereunto belong unto the said William Merritt, Jr., his heirs and assigns forever. Saith Nathan Hackney do bind myself, my heirs and assigns to hold and truly warrant and defend the just and legal right and title of the above said tract of land to the said William Merritt, Jr., in a rite of fee simple as witness my hand and seal the day and date above written.

Signed, sealed, and delivered November12, 1811 in presence of

Nathaniel Hackney

Hannah Hackney

John Armor (J.P.)

The above Deed acknowledged by Nathan Hackney

Satisfyed by me November 8, 1811

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